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THE McGILLYCUDDY PAPERS:

A SELECTION FROM

THE FAMILY ARCHIVES OF "THE M'GILLYCUDDY OF THE REEKS,"

WITH

AN INTRODUCTORY MEMOIR;

BEING A CONTRIBUTION TO THE HISTORY OF THE COUNTY OF KERRY.

BY

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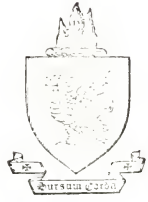

LONDON:

LONGMANS, GREEN, AND CO.

1867.

1657245

PREFACE.

THE preparation of the "M'Gillycuddy Papers" for the press was undertaken by the Editor, at the request of the late M'Gillycuddy, who unhappily did not live to see the completion of the work, which was originally commenced with a view to their private rather than public circulation. The Manuscripts themselves were of no very ancient date, but were in a sad state of decay and confusion, from the effects of previous neglect. When the work of transcription was completed, a selection from the entire collection seemed worthy of being printed, not merely as a volume of Family Papers—such as are rarely to be found in Ireland, except among the O'Briens, Butlers, or Fitzgeralds—but also as affording a valuable and entirely trustworthy illustration of the mode in which the estates of an Irish Chieftain were in part preserved to his descendants, notwithstanding their confiscation under the reign of Elizabeth, and in despite of the Act of Settlement and other legal dangers and difficulties to which Irish properties were exposed during subsequent reigns.

The M'Gillycuddy of Elizabeth's time was an Irish Chieftain, owing allegiance to his immediate lord, the O'Sullivane More, and obeying the Brehon law under which he held his territory. He was bound to follow his Superior Chief into the field with a certain contingent of men, and, like most of the other chieftains of Kerry, was drawn into what is sometimes called the Desmond "rebellion," but which, more properly speaking was a war undertaken by a powerful Irish Chieftain, less perhaps in support of the Roman Catholic religion than in defence of his great estates and the ancient privileges and rights of the Irish clans or septs.

In the reign of James I., the M'Gillycuddy gave no trouble to the English Government. To Charles I., Charles II., and James II., the M'Gillycuddy of the period was undoubtedly loyal, but did not push his devotion to the last-named monarch to such an extreme as to prevent his accepting the terms extended under the treaty of Limerick, in 1691, to the Irish Roman Catholics of the County of Kerry. The M'Gillycuddies, accordingly, appear to have been loyal subjects of the English Crown for more than two centuries and a half, during a hundred years of which period the heads of the family were Roman Catholics. At a time, like the present, when everything relating to the land settlement of Ireland is of interest to the statesman, it may not be wholly unprofitable to examine, by the light of original documents, the process by which a remnant of the once princely inheritance of a loyal Irish Roman Catholic family was saved from legal destruction.

The thanks of the Editor are offered to John P. Prendergast, Esq., author of the "Cromwellian Settlement of Ireland," for the contributions from the Carte Collections, in the Bodleian Library at Oxford, which appear in the Introductory Memoir. The Editor wishes also to thank James Morrin, Esq., of the Rolls Office, Dublin, and John Pilton Garstin, Esq., M.R.I.A., for valuable assistance. For the pedigree of the M'Gillycuddy family deduced from the earlier times to the end of the sixteenth century, the Editor is indebted to William M. Hennessy, Esq., M.R.I.A., Editor of the "Chronicon Scotorum." To the Rev. C. P. Meehan, M.R.I.A., thanks are offered for his assistance in deciphering some nearly illegible signatures of members of the Council of the Confederate Catholics.

DONOGHPATRICK, NAVAN,
20*th December*, 1866.

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INTRODUCTORY MEMOIR.

THE estates of the M'Gillycuddy sept, in Kerry, were, no doubt, in ancient times of vast extent, and the forfeited or confiscated lands of Donald or Donogh M'Dermott O'Sullivan, otherwise called M'Gillycuddy, who was killed whilst fighting under the Earl of Desmond against Elizabeth, comprised no inconsiderable tract of country. This Donogh, or Donald, surnamed "Geraldagh," or the Geraldine, was the son of Domhnal (Anglice Daniel), the thirty-fifth in descent, according to ancient Irish genealogies, from Oilill Olum, King of Munster, who died A.D. 234. The territory of this Donald Geraldagh M'Gillycuddy, of Bodevismyne, killed in the Desmond wars, was granted by letters patent of Queen Elizabeth, dated 9th of June, 1595, to Edmond Barret, of Ferys, who by deed of bargain and sale, dated the day after the date of his own patent, conveyed them to "Edward Hussey, of Ballyngown." This Edward Hussey in a short time, namely, on the 19th of April, 1598 [Anno 40° Eliz.], conveyed those lands to "Donogh M'Dermuddy, alias M'Gillycuddy, of Bodenesmeen." These lands, some of which have continued to the present day in the possession of the M'Gillycuddy family, are thus described in the deed last mentioned, viz.:—"The manors, town, and lands of Carrowlongford, namely, Bodenesmen als ffarenegatt, Tynnescartie, Both ye Ards, Caharowbeg, Banecloen, Ardlaghes, Shanneries, Carrowloghert-Kylsullagh, viz.:—Listiconogher, Kapparush, Gowlane, Bracahiragh, Cahirdonilyeragh, Monedugh, Dirrilettircuosh, with all and singular," &c., &c. It is curious that several of these denominations are named in a list of lands held in tanistry by "Dermott, Bough, Daniel and Conor O'Sullivane, sons of Donell O'Sullivan-more, deceased," and surrendered by them to James I., who on the 27 Sept., 1603, accepted

them by letters patent, in order to regrant them to those parties. [Pat. Rot., James I., 1°, Part 1, dorso lxxviii. 26]. In 1604, another grant, dated March 22, was made by his Majestie, to Lord Bourke, of "the castle and town of Bodevismine," and other lands, "parcel of the estate of Donogh M'Dermot O'Swilevan, otherwise M'Gillyeuddie of the same, dead in rebellion." [Pat. Rot., 2°, James I., part 2, xiv. 27]. Sir Charles Wilmot, in 1614, had also a patent, dated 10 December, for the lands of Donald the Geraldine [Infra, pp. 3 and 4], which he, on the following day, conveyed by deed of feofment, bargain and sale, unto Maurice or "Morish Crosbie, of Clonemony." The territory forfeited by Donald M'Gillyeuddy, and granted so often by letters patent to various parties, comprised twenty or more denominations of land lying in the parishes of Knockane, Killorglin, and Kilcroghane, and in the baronies of Dunkeron and Iveragh. The individuals, to whom these grants were made, seem, however, to have profitted little by them, for they appear to have been occupied continuously by members of the M'Gillyeuddy family, and to have paid no quit-rent to the Crown in those times.

Conchobhar or Conor, the lineal ancestor of the present M'Gillycuddy, and said to have been the son of Donald or Donough M'Gillycuddy, the Geraldine, is variously styled "Cnogher M'Gillycuddy, of Castlecurrig," or "Cornelius O'Sullivane, alias M'Gillycuddy, of Castlecurrig." There is a document in the State Paper Office, dated 12 Feb^y., 1596, enclosing "a note of such as are Lords of Cuntries, being Finnin Mac Cartis kinsmen, and followers of the Earls of Clancarte w'thin Desmond," &c. In this paper the name "M^c Gillo Cuddie," stands sixth on the list, being preceded by the names of Finnin's two cousins, and by those of the "O'Sullévan Moar," the "O'Sullevan Bear," and the "O'Donnaogh-Glan." Conor M'Gillycuddie held the lands which were granted, as before noticed, to Barret, Bourke, and Wilmot, "as his owne and ancient inheritance." His rights of possession were not interfered with by Wilmot's assignee, Morish or Maurice Crosbie, of Clonmony, who conveyed all his interest in those lands by a formal deed, dated 27 Sept., 1618, to "Connor M'Gillycuddie, of ffarryunygat, in consideration of £200, paid him by said Connor." This Maurice Crosbie or Cosby, was a near relative (most probably a brother) of Patrick Crosbie, who for his services to Queen Elizabeth, in Leinster and Munster, received from Her Majesty various grants, including

some of the lands in Kerry, which had formerly been passed in patent to Edmund Barret. These Crosbies were originally "M'Crossans," and were kinsmen of the O'Mores of Leix, of whose "removal into Kerry," during Elizabeth's reign, there are notices in the State Paper Office. The name M'Crossan was anglicised into Crosbie, in pursuance of a custom commonly adopted by the adherents of the English power in those days. Patrick had a younger brother, named John, who became bishop of Ardfert and Aghadoe in 1600. He was recommended for this see to Queen Elizabeth, by James, Earl of Desmond, the son of Her Majesty's great foe. The Queen's letter, appointing Crosbie to the bishoprick, is dated "manor of Oatland, Oct. 2, 1600." [Morrin's Patent Rolls, vol. I., p. 560]. In this letter John Crosbie is described as "a graduate in schools of English race (?), and skilled in the English tongue." It is also stated that he had "other means of living to enable him to bear the expenses of promotion to a see wasted by rebellion." Bishop Crosbie settled at Ardfert Abbey, where his descendants possess, at the present day, a considerable estate. Conor M'Gillycuddy had for his first wife Joan Crosbie, daughter of the bishop, and by her had five children. [Infra, p. 36.] The date of this his first marriage was probably the year 1615 or 1618. Conor M'Gillycuddy acquired, by purchase or intermarriage, several denominations of land in Kerry. In 1619, on November the 6th, "Owen O'Sullivane, of Bally n' gillane-lan," made over to him and his heirs for ever, the lands of Carrownehover, Ardshilane, Carrowmire Ightragh ne Kinsallagh, Carrowmire Igtragh Glanloghe, and Cahir donnile ierragh. On the 19th of August, 1623, Maurice Crosbie conveyed to him the lands of Clonlohor, Coade, Ballyledir, Bearhane, Dromacliffe, and O'Congaons (formerly granted to Sir John Kinge and Sir John James by the Crown), at the nominal rent of 23 shillings a year. Conor had for his second wife, a daughter of Daniel Oge Carty, of Dunguile. His death took place by shipwreck in October, 1630, according to the funeral entry in Ulster's Office, or on the 3rd of November, 1630, as the inquisition *post mortem* states.

Donough, the eldest son of Conor M'Gillycuddy by Joan Crosbie, was born at Ardfert, as appears from the Matriculation books of Trinity College. According to the same authority, the year of his birth was 1623, which date agrees with other papers, but not with the inquisition *post mortem*, given infra,

p. 25, which states him to have been under eleven years of age at his father's death in 1630. His uncle, David Crosbie, of Ardfert, was his guardian, and watched over his ward's worldly interests, by taking legal proceedings for his protection on various occasions. Young M'Gillycuddy entered Trinity College, Dublin, on the 17th of November, 1640, but seems not to have taken out any degree. In the month of March, 1641 (p. 52), he married Marie, the youngest daughter of Daniel, the O'Sullivan More, by Juan Fitzmaurice. Donough's "tender age," which is brought forward in some of his petitions as proof that he took no part in the "plunder and outrages done against the Protestants," did not, it seems, prevent him from contracting an early marriage, nor from taking proceedings, for the recovery of his wife's fortune, before the Council of the Confederate Catholics. His uncle, David Crosbie, the Protestant bishop's son, appears as one of the Commissioners for the army for the County of Kerry, and in conjunction with Richard Connell, the Catholic Bishop of Ardfert and Aghadoe, signs a decree in 1643, in favour of his nephew, the M'Gillycuddy.

Donough M'Gillycuddy was certified not only to have had no part in the plunder of the Protestants, but even to have relieved them when in great distress. He was not in arms before the year 1648, when he raised a foot company at his own cost, and subsequently brought together five or six companies of his kinsmen and friends to aid the Royal cause, for which and other services he received from the Duke of Ormond a commission as Lieutenant-Colonel. He suffered, however, severely for his loyalty, receiving many wounds, and losing his lands and his castle, which he burned rather than permit it to fall into the hands of the Parliamentarian General. He was afterwards taken prisoner, and when released under the articles of peace which Clanearty was compelled to accept, refused to remain in Ireland under the conditions imposed by the "usurping power," and went into voluntary exile. In foreign parts he "followed his Majestie's fortune, person, and command, until his happy Restoration." In 1661, he obtained an order from Charles II. to be restored to his estates, and in the same year had licence to bring "his wife and family, goods and necessaries," from Flanders to Ireland. But impediments of various kinds interfered with his enjoyment of his ancestral property. Some of his lands, which in 1653 were usurped by the Parliamentarians, came into the possession, in 1659, of James Napper, who on the 1st of May in that year,

"by order of the Council," obtained "a lott" in Kerry, which included a part of the M'Gillycuddie estate. Among the lands then granted were the denominations of "Tomys, Dunloe, Culemagort, Ardkinturke, Cliddagh, Cullinagh, Kippaghanavane, two Carrunihones, Farrinagatt, Ards, Carrubeg, Teneskartie, the two Tulliges, Ardlaghas, Banechone, Ardralk, and Gortinsearry," all which lands Napper set to his kinsman, Robert Blennerhasset, of Killorglin, for £64, for one year.

In 1662, M'Gillycuddie got possession, by order of the Lords Justices, of over fifty "ploughlands" or denominations, and in 1663, obtained "Ards, Farranegat, Teneskarty, and Carrubeg," where the ruins of the castle of his forefathers remain. Among the Carte Papers [vol. 44, p. 326] preserved in the Bodleian Library at Oxford, is a Return made about the year 1664, entitled "An Abstract of the number of acres unto which several persons have been restored, or designed to be restored, either by Act of Parliament, by order from his Ma^ty^, by order from the Lords Justices, the House of Lords, or Coarte of Claymes." In this Return "L^r^ Coll. M'Gillycuddye" is set down for "66,500^A.^" in "Kerrye." In another Return of "Persons restored by the King's Letters, being not Proviso Men or Mero motu men," "L^r^ Coll. M'Gillycuddy" is set down for 6,500 acres. [Carte Papers, vol. 44, p. 366.] But the M'Gillycuddy was by no means put into undisturbed possession of this property, for he was for years afterwards harassed by the adventurers, soldiers, and others, who, under the Act of Settlement set up claims to various portions of his estates. He had to plead over again for his lands, before the Commissioners of the Act of Settlement in 1667, and seems never to have been free from suits for Quit-rents and Chief-rents due to the Crown on different pretences.

One of his chief tormentors was Sir William Petty, who in 1664 [Infra p. 119] had contrived to take away part of M'Gillycuddy's land on some pretext of law.* Colonel Donogh, however, had powerful friends, whose interference

* By the Adventurers Act, passed in the Parliament of England in February, 1642, lands were offered in Ireland to any who should subscribe moneys towards raising an army to be at the command of a Committee of the subscribers, in satisfaction for their ventures, at the following rates, viz., at Four Shillings by the acre in Ulster, Six Shillings in Connaught, Eight Shillings in

he frequently solicited with success. In 1668 he sent the following petition, dated from "Karhubeg in Kerry, 17° Nov: 1668," to the Duke of Ormond:—

"May it please your Grace,

"As by your Graces mediation to his Ma^tie I am in possession of my "poore Estate, pursuant to his Ma^tie's gratious letters dated at Whitehall the

Munster, and Twelve Shillings in Leinster, paying a Quit-rent, upon every acre, of One Farthing for every Shilling, unprofitable mountains and cruddy wood thrown in.

The allotment of land in satisfaction for their adventures was not to be made to the subscribers until the Parliament should declare the Irish to be subdued and the war to be appeased and ended, an event which did not take place until September, 1652; and then the Parliament resolved to pay their Army their arrears of pay, at the same rates as the Adventurers, in Land. Upon this occasion the grand aim of the different regiments, who might possibly fall there, was to avoid Kerry, which happened to be the Lot of three Regiments commanded by Colonel Henry Pretty, Lord Broghill, and another. "It was the interest of all those of the Army," says Doctor Petty, "who were sure not to fall there to urge to have every acre of the coarsest, and such whereof forty "were not worth one of the arable of those other country to bee imposed for payable, to the end that "the quota pars of their own satisfactions fallen by lot in better counties might be the greater: "for if the Baronies of Iveragh, Dunkerron, and part of Glanerought, had been taken into the credit, "the quota of Twelve Shillings and Three Pence might probably have been Sixteen Shillings; and in "case the disposeable land of the rest of Kerry had been excluded, the quota, instead of Twelve "Shillings, had been but Ten."—History of the Down Survey, by Doctor W. Petty, A.D. 1655–6. Edited by Major Thos. A. Larcom, Royal Engineers. 4to, Dublin, 1851, p. 85.]

In other words, were the greater part of the lands in Kerry to be considered "Unprofitable," and therefore not available towards satisfying the Army, or to be considered "Profitable"? The course finally taken by Doctor Petty's Surveyors was to equalize townlands, and to value the coarser but not entirely unprofitable lands, as requiring a certain number to make up the value of one profitable acre, sometimes counting fifteen acres for one. In such case they placed in one column the entire number of acres, good and coarse together, as "profitable," within the terms of the Act of Parliament; and in another column, spoken of in Colonel M'Gillicuddy's Letters as "the extreme or reduced column," were set down the number of acres to be considered "Profitable," and chargeable with Quit-rent, according to the scale of comparison or computation, by which fifteen or other number of acres were to be counted for one.

These quarrels between the different regiments of the Army were hardly over before the King's Restoration brought about a new settlement. The King's first intention was, so far to confirm the best of the Adventurers and Soldiers, as to provide for their satisfaction by giving them an amount of Land adequate to pay them at the original rates: but, as he had promised to restore the best and most loyal of the Irish who had served, like Colonel M'Gillycuddy, under his Ensigns or

"18th of April, 1661. I have verie greate faith to assure myself yo' Grace "will not see me turned out of the same to the everlasting ruin of my poore "familie, now that it pleased God to open that way of the reduced collum "which will not be allowed me, as the Commissioners tell my son in Dublin, "without his Ma^ties orders.

Standard abroad, the royal intention, in many cases, could only be carried out by way of reprize, that is, by giving the displaced Adventurer or Souldier, other Lands elsewhere in exchange. Colonel McGillycuddy thus got the King's Letter of 18th April, 1661, to be restored, and under it took possession of his Estate, no one as yet interfering with him. Similar Letters were obtained by a great number of loyal Irish, both of Milesian and English descent, which soon raised a clamour among the Adventurers and Soldiers hitherto in possession, and now dispossessed, or threatened with being dispossessed: and they had interest enough to get the Court first erected for putting in Execution the King's Declaration of 30th November, 1660, superseded by another, under an Act commonly called "An Act for the Settlement of Ireland," repealing many of the beneficial clauses of the Declaration in favour of Irish Roman Catholics. This Act was passed in 1662. But it was repealed, as still too favourable to the Irish, by another Act in 1665, called "The Act of Explanation."

Under the Act of 1662, the Commissioners of the Court had come to a conclusion that the Estates restored to the Irish on the ground of their innocence, were not liable to the Quit-rents charged by the Adventurers Act on Lands conquered from the Irish, and embodied in the Act of 1662.

It was natural to impose it on the new conquests; but seemed unreasonable and cruel to make those liable to it who after suffering banishment and poverty for twelve or fifteen years, were restored as being innocent of any crime.

By the Act of Explanation this decision was reversed, and the Irish restored were made liable, but the Protestants or English restored in like manner to their old Estates, were exempted.—[17 & 18 Car. 2d. chap. 2, sec. 42.]

But the Lord Lieutenant was empowered, in consideration that the Quit-rent on coarse land might render it worthless by equalling or exceeding its real value, to moderate during the next three years the Quit-rent, on account of the discouragement that might thereby ensue to plantation and improvement.—[Ibid., sec. 43.]

During the whole sitting of the Commissioners of Claims, the various English and Protestants who were to be reprized for lands that had been taken from them, and restored to the former proprietors, English or Irish, shunned and rejected Kerry, or Col. McGillicuddy would have quickly lost his property. Had the Quit-rent been reduced within the time limited by the Act of Explanation, many would have been no doubt contented to take it for a reprize. But the limit of three years being elapsed, and the Court of Claims closed, the saving of his Estate to McGillycuddy now lay in the King's power.

"S^r. William Pettie, the onely occasion of this my calamitie, assures his "Confederats Coll. Prettie, Coll. Stalport and others, who pretend to my "estate, that he and they will procure his Ma^{tie's} letters to have the same "allowed them. Seeing they have that confedense I thinke I have reason to "conceave I may be as capable of that favour who never served att home but "by his Ma^{tie's} Commission granted by your Grace, and abroad made testimonie "of my loyaltie, and desire noe recompence but my one (own) whereof I am "at present in possession, which I grante for loste without yo^r Grace's speedie "releife by procureing me his Ma^{tie's} commandes to the Commissioners, being a "verie confident acte of soe undeserving a person to demande from yo^r Grace, "yett necessitie importuneth mee soe much that I trust yo^r Grace will pardon "me, and the rather that yo^r Grace hath before sent a draught of a letter to "this purpose to my Lord Arlington in ye one pacquett. I writt to Sir Edward "FitzHarris to minde yo^r Grace of this my pett^n whom God preserve is "continually prayed by

"Yo^r Grace's poore servant,

"Do: M^cGilliguiddy."

"This pett^n to be humbly presented
"To James Duke of Ormond
"Lord L^t Generall and Generall Governour
"of Ireland.

"Whitehal."

[MSS. Bodleian Oxon. Carte Papers, vol. 36, p. 80.]

In a Report of the Commissioners of the Court of Claims, as to the state of Affairs in this Court, dated 14th February, 1667, they state as follows:—

"5th. All such persons as claymed by vertue of his Ma^{ties} Letters, and who could prove their "title in 1641, and their possession by vertue of the said Letters on the 22d of August, 1663, have "been heard and adjudged pursuant to a clause in y^e 107th page of the Explanation Act for that "purpose."—[Carte Papers, vol. 36, pp. 118–120.]

But this Clause [17 & 18 Car. 2, cap. 2, sec. 157] only authorized the Commissioners in such case to restore the Claimant to his Dwelling-house and 2,000^A contiguous.—[Letter of John P. Prendergast, esq., to the Editor.]

In 1671, M'Gillycuddy obtained a pension from the King, as appears by the following abstract of the King's Letter, dated September 13, 1671, and "Addressed to John, Lord Berkely, Lord Lieutenant of Ireland, or other, the Chief Governour, in his absence":—

"Charles R.

"The King, taking notice of the Distressed Condition of severall of "his subjects of that Kingdom, orders the Lord Lieutenant to pay the following "Pensions out of the Concordatum Fund:—

	£
"Richard Earl of Westmeath,	150
"Lord Viscount Roch,	100
"Lord Netterville,	150
"Viscount Avagh [Iveagh],	150
"Mrs. Anne Dempsy,	150
"Lord Trimlestonne,	100
"Lord Castleconnell,	150
"Lord Upper Ossory,	100
"Lord Dunboyne,	100
"Lord Brittas,	100
"Lord Louth,	100
"Sir William Talbott,	150
"Sir Patrick Barnewall,	150
"Coll. M'Gillicuddie,	100
"M'Carty Reagh,	100
"Mr. Edward Goffe,	50
"William Talbot of Robertstown,	50
"Coll. James Dempsey,	50

"Payable half-yearly—the first payment on 1st Nov. next ensuing (1671), "and so till further order."—[MSS. Bodleian Oxon. Carte Papers, vol. 44, p. 490.]

The names in the above list prove that many persons of high condition were reduced to distress, by the revolutions to which landed property in Ireland had been exposed. The pensions out of the Concordatum Fund were

no doubt a great boon to those unfortunate noblemen, but that boon was sadly diminished in value by irregularity and delay in payment. For according to an account of the arrears of the Civil List, from the 25th December, 1675, to Michaelmas, 1681, the pensions of M'Gillycuddy, and almost all the rest, were two years in arrear.—[Carte Papers, vol. 53, p. 225.]

It was, perhaps, as much owing to Sir W. Petty's hostile intervention, as to the operation of the "Explanatory Act," that the lands passed in patent to M'Gillycuddy in 1678, were limited to the two thousand acres of Carhunihones, Ardlaghis, Banecluone, and Shanderries. The manner in which Sir W. Petty harassed M'Gillycuddy is sufficiently shown in the following papers, at pages 83, 86, 101, 106, 111, 119, 139, 143, 145, 146, 147, 148. The M'Gillycuddy, it seems, opposed some plans of Sir William, and thereby saved His Majestie the sum of ten thousand pounds. He, however, was put to enormous cost and annoyance by the continual lawsuits in which Sir W. Petty involved him. A good idea of Sir William's plan of proceedings may be gathered from his treatment of Sir George Carteret, Baronet, who in 1662, advanced Petty twelve hundred Pounds to purchase lands for their joint benefit. Sir George, in 1676 and 1677, was obliged to take proceedings against Petty for an account of his money, and applied to some gentlemen in Kerry to afford him information and assistance. His letter to M'Gillycuddy is given infra. p. 121; another letter of Carteret's is here transcribed, along with a copy of Sir William Petty's account with Carteret. These documents will illustrate the method in which Petty searched for defective titles, in order to gain the estates of the old proprietors for himself and his nominees.

The letter of Sir George Carteret is thus addressed:—

"To my much respected friends, Patrick Crosby and William Reeves, Esq^rs., at Kerry, in Ireland."

"Sirs,

"It may seem strange to you, that I, who am wholy a stranger, should "give you the trouble of these lines; but when you shall have understood the "occasion of them, I hope you will put a candid construction upon it. Be "pleased, therefore, to know that though I have made it my businesse all my

"life time to avoyd Law suits, and laboured to live in peace with all men, yet it "now so falleth out, that in my old age I am therein unhappily involved; though "against my will. The case in short is this:—About 14 years since, being "acquainted with S^r W^m Petty, I was p'vailed on by him to lett him have "some moneyes, to w^h he would add the like sum'e, & would lay it out in "purchaseing some lands in Ireland: whereupon I then paid him about 1200^li "sterl.; and lands were accordingly purchased: but to this day I can neither "gett my money againe, either use or principall, nor so much as one foot of "land for it. But the s'd S^r Will'm Petty p'tends the same is swallowed "up in charges, & so injoyes the whole lands & all the profitts thereof to "himselfe, w^thout giving any acco^t of y^e same; whereupon I exhibited my Bill "in the High Co^rt of Chancery here, to w^ch after many delayes S^r Will'm "Answered, & put in his Crosse Bill, w^ch I have also answered; and so both of "us have taken out Com'issions to examine witnesses in Kerry; which for "some time I could not doe, because I was wholy a stranger in those parts and "knew not any that I could name as Com^rs for me. But being informed by "divers p'sons here of y^r justice and generosity in things of this nature, espe-"cially to strangers, much becoming the quality and character you beare, I have "p'sumed to make use of yo^r names for Com^rs in this suite, as well in that "wherein I am pl^t as def^t, & have agreed 14 daies notice shal be given of the "Execucon of my Com^n to M^r Thomas Crookshank, one of his Com^rs, & he is "to give like notice of the Execucon of his Com^n to Patrick Crosby Esq. Sirs, "I know not how sufficiently to Apologize for this p'sumption, but doe hope "the justice of my Cause will in yo^r generous minds mediate an excuse for "this trouble; and I shall not onely satisfy yo^r charges herein, but if there be "any thing in which I can serve you in here, you may most freely com'and him "thát at all times will endeavour to manifest himselfe

"Sirs,

"Yo^r most humble and faithfull serv^t

"G. Carteret.

"Whitehall,

"July y^e 29^th,

"1676."

The account furnished by Sir William Petty is as follows:—

"An acco^t of severall disbursem^ts made by S^r Will'm Petty from y^e 20^th day "of June, 1662, unto y^e 26^th of March, 1671, for and concerning y^e lands "in Kerry past in L'res patents to y^e Right hon^ble S^r George Carteret & "himselfe, vizt.

"An^o 1663.

	li.	s.	d.
"1. For searches & Copies of y^e Discriminacon book, Lists of "Associacon, Claimes at Athlone, Outlary, Inquisicon, "Post mortem & other Records, as also for witnesses "to prove the Nocencyes—title of the former pro- "prietors of y^r lands, ...	27	00	00
"2. When the Duke of Ormond's Com^rs first entered upon the "said lands, for the Authentick Examinacon of many "witnesses to prove S^r W^m Petty his title to y^e said "lands as a souldier—To prove y^e manner of o^r dis- "possession—the rents for w^ch we lett them, & for "which they were afterwards lett by y^e s'd Com^rs, .	18	16	00
"3. The severall journeys & applicacons to his Grace's Com^rs "in order to recover o^r possession w^thout further "trouble, ...	18	10	00
"4. When the matter was referred to the Earle of Anglesey "and the Lord of Orrery (who gave Judgm^t for us) to "have the businesse debated and proved before them,	06	00	00
"5. For part of the charges expended at the Councill Table "in Ireland to defend the title ag^t the last clause of "y^e Act of Settlem^t in Octo: 1663, . . .	04	11	00
"6. Expended in the Co^t of Claimes An'o, 1666, 1667, & "1668, upon the following p'ticulars, vizt.:—			
"(1.) In defending y^e title ag^t the 3 Regim^ts—ag^t the "Duke of Ormond—ag^t the Colledge of "Dublin—ag^t the p'tenders to Balligriffin, &c.,	193	08	00
"(2^ly.) To keep out saveings for his Grace concerning "his Chiefries, ...	098	00	00

	li.	s.	d.
"(3ly.) To Capacitate our selves for the meane proffits "of y^t lands whilst his Grace held them, .	078	00	00
"7. For the charges of Chancery to recover the said mean "profitts & about y^e defense of y^t said controversie after- "wards to Arbitrators, S^r John Temple & M^r Osborne,	017	00	00
"8. Charges in y^e Presidency Co^rt at Charleville as pl^f & def^t "in severall causes during y^e said time of 9 yeres, .	057	10	00
"9. Charges at severall Assizes and Sessions of the County "for punishing Thieves and Malefactors, especially "relateing to y^e wood and houseing, . . .	039	12	00
"10. For severall County Charges assessed by the Judges "and Justices for high waies, Bridges, Linnen- "prœmium, Goals, Churches, &c., . . .	029	12	00
"11. For Charges of Law in y^e Co^rt of King's Bench and Com'on Pleas for the s'd 9 yeres, . . .	049	11	00
"12. For Charges in the Exchequ^r about clearing the quitt "rents of y^e s'd Land & Arreares thereof, as also for "reduceing y^e same, ...	017	08	00
"13. Part of y^e Charges expended upon y^e grounds. Inqui- "sicon at Killarney, Aprill 1668, for setling the whole "interest, ...	040	00	06
"14. For Postage of L'res, Messeng^rs, ordinary & extra- "ordinary, during y^e said 9 yeares, . . .	045	00	00
"15. Given at severall times to old inhabitants, workmen, & "others for informacon, as also to spies and intelli- "genc^rs concerning the abuses of y^t woods, &c., .	014	00	00
"16. For Serv^ts and Agents, ordinary and extraordinary, for "the said time, ...	360	00	00
"17. For journeyes of my owne into Glanerought, & expenses "there.	150	00	00
"18. Expended by Cheesers, &c., upon the acco^t of the Timber "trade, ...	163	00	00
"19. Com'on Charges not referable to any of the heads above "menconed, ...	039	00	00

	li.	s.	d.
"20. For 3½ yeres quitt rents due to y^e^ ffarm^rs^, . .	255	10	00
"21. For the yeares value p' Estimate, . . .	120	00	00
"22. For p'te of y^e^ arreares of quit rents to be paid by "Instalm^ts^ in 7 yeares, ...	046	16	00
"23. For gratuities to Clerks, Sub-collectors, &c., concerning "the same, ...	002	00	00
"The Total is £	1890	04	06

"Expended upon S^r^ George Carteret's p'ticuler acc^t^, vizt. :—

"For the expences of Robert Marshall to attend 2 "ffrench gentlemen employed thither by S^r^ George,	07	00	00
"Paid M^r^ Tho^as^ Taylor, for makeing severall Mapps "sent to S^r^ Geo: in England, . . .	04	10	00
"In all £	11	10	00"

By aid of powerful friends* and a judicious expenditure of money, M'Gillycuddy was enabled to resist with success the designs of Sir W. Petty on his property. He was exposed to other troubles, however, in the reign of JAMES II. Donough M'Gillycuddy was High Sheriff of the County of Kerry, in 1687, and his son Cornelius was, in 1688, appointed by Tyrconnell to a Captain's Commission in Lord Slane's regiment. In 1691 Colonel Dennis M'Gillycuddy was appointed, under sign-manual of James II., to be commander-in-chief of all his forces in the town and county of Cavan. This Dennis was either a son or nephew of the M'Gillycuddy, who seems to have been in that year, 1691, in Kerry, where he had some part in procuring cattle for the use of the army of King JAMES. Frank, a son of Donough M'Gillycuddy, was in the Garrison of Limerick in 1691. On the other hand, Lt-Colonel Dennis M'Gillycuddy (a nephew of Donough) served under WILLIAM, and was instructed in

* The M'Gillycuddy was greatly assisted by men of high position in the English Court. He was also on terms of intimacy with Browne, the ancestor of the Earls of Kenmare. The Marchioness of Antrim, whose cousin was M'Gillycuddy's daughter-in-law, Lord and Lady Shelburne, and other influential persons in Ireland in those days interested themselves effectively on his behalf.

1689 by Schonberg to command the Irish forces in the Isle of Wight. Another Denis M'Gillycuddy appears to have been serving as a Major in WILLIAM's army in July, 1691. The names Dennis and Donough are sometimes applied in these papers to the same person, and it has been supposed by some that Donough M'Gillycuddy, who served CHARLES I. so faithfully, was the Colonel Dennis M'Gillycuddy promoted by WILLIAM in 1689. This is improbable, for various reasons. The second son of Colonel Donough was, however, an officer under the Prince of Orange, as is proved by a parchment certificate still existing, but of which a portion is illegible. Its contents are as follows :—

"I doe Certify, unto all whom it may concern, that Daniel M'Gillycuddy, "second son to Coll' Donogh M'Gillycuddy of Karhubeg in the County of "Kerry and Kingdome of Ireland, was Capt[n] in Coll Monk's Regiment in "Holland under the Prince of Orange, Stats Houlder of Holland, which "Regim[t] (along with other Regiments) was established by the Earl of Ossery, "Lieut[t] G'ral of those Regim[ts], by orders from King Charles the 2d. [Torn "and illegible.] . . . . called at any time at [Torn] . . . . . "The said Cap[t]. Dan[iell MacGillycud]dy Died in the year of our Lord [Torn . . . . . actually . . ."

Donough M'Gillycuddy was, however, "comprehended within the articles of Limerick," and his lands, on application to the Commissioners of forfeitures, were struck out of their books. On the 7th of November, 1694, "Col[l]. Donagh M'Gillycuddy" took the oath of allegiance to WILLIAM and MARY.

Cornelius, the eldest son of Donough M'Gillycuddy by Marie O'Sullivan, succeeded to the family estates on the death of his father in 1695 or 1696. He served as a Captain in King JAMES' army as before stated, and was Member of Parliament for Ardfert in 1689. He was, however, at Banecluone (now Whitefield and the family residence) on the 3rd of October, 1691, and was included within the articles of Limerick. He took the oaths to their Majesties in 1694. Cornelius, during his father's lifetime, was active in the recovery of the family property, but fell after his father's death into great pecuniary difficulties. He mortgaged all his estates, in 1698, to David Crosby of Ardfert; and in 1706 "levied a fine and suffered recovery" in order to bar the entail. He was for some time before his death of infirm health, and his medical

adviser, when sending him a "cooling and lenitive electuary," adds to his letter the following posteript :—

"Here is noe manner of news; we expect too morrows post will bring a sure "acc[t] of peace or noe peace; I hope you have heard a Long Mass this day "being the last day for any of yo[r] Clergy y[t] has not taken y[e] Oaths, which I "believe you have an acc[t] of Long agoe. Its of dangerous consequence to "heare Mass from those y[t] have not taken the Oaths. I am yo[rs] as before."

From the foregoing, as well as from other documents, it appears that Cornelius was a Roman Catholic as all his ancestors were. The following licence, headed "Doctor Gibbon's libertie to eat flesh," is curious, but licences for exemption from fasting were also obtained frequently by Protestants, during the seventeenth century, and many such licences are on record in the Consistorial Office in Dublin.

"Ego, infrascriptus Medicus Doctor, omnibus quorum interest, aut interesse "poterit, me examinasse temperaturam nobilis et Illustrissimi Domini Cornelius "M[c]Gillycuddy, eamque esse debilem, valetudinarian, et superannuam, "quapropter sentio eundem Dominum non teneri Jeiunare non solum "hocce presenti quadrigesima, sed etiam in posterum durante vita nullatenus "tenetur Jeiunare, propter evectam ætatem. In cuius rei fidem et testi-"monium subscripsi die ultima february 1709."

"H. Gibbon."

Cornelius died in November, 1712, leaving no issue, and having endeavoured by a will dated 20 October, 1712, to annul the deeds made to Crosbie in 1706, and to secure the ancestral estates to his nephew and heir-at-law.

Denis, who now in 1712 became "The M'Gillycuddy," was the eldest son of Captain Daniel M[c]Gillycuddy, who was the second son of Colonel Donough M'Gillycuddy and Marie O'Sullivane. This Daniel served in Colonel Monk's Regiment in Holland under the Prince of Orange and died in or before the year 1705, having married Lucretia, the second daughter and eventually co-heir of Mynheer Derrick Von Dachelaer, by his wife, Joanna Volters. Margaret, the other sister of Lucretia, was wife to Major, afterwards Colonel, Denis M[c]Gillycuddy, a first cousin to Captain Daniel. Mynheer Derrick Von Dachelaer was Burgomaster of Wageningen in Guelderland, where he possessed

"the great Meadow near the Raine." Eventually all his property (as his son died without issue) descended to his two daughters, Lucretia and Margaret, the wives of the cousins M'Gillycuddy. By Lucretia, Captain Daniel M'Gillycuddy had issue two sons, Denis the elder, and Cornelius, who settled in Lisbon, under the name of Rodrigo Von Dachelaer, and who by deed, dated 3rd April, 1723, conveyed all his share of the Guelderland property to his brother Denis. In this deed "love and affection" are stated to be the only motives for so liberal a gift. Denis M'Gillycuddy, in 1713, endeavoured, and with some success, to recover from the Crosbies the property entailed on him by his grandfather's will, and he obtained in 1716 from David Crosbie, leases of several denominations of lands at small rents for the term of 990 years. In 1718 Dennis openly declared his conformity to the established religion, as appears by a certificate which is thus endorsed:—"Denis M'Gillycuddy's certificate for taking ye oaths, ano D'ni 1718. Filed in ye Rolls office, 22 July, 1719." The certificate itself is as follows:—

"Com. Kerry. Ad General' Session' pac' tent' apud Tralee in Com' p^d 22° die April' ano D'ni, 1718.

"I do hereby certify that Denis M'Gillycaddy, of Carrubeg, in the said "County, gent', came into open Crte, and produced a certificate of his receiving "the Sacrament of the Lord's Supper according to the Church of Ireland, and "proved the same as the statute requires, and then and there swore the oath "of Allegiance and Abjuracon, and subscribed the same and the Declaracon, "all at the s^d sess^n. Given under my hand. Dat' ut supra. Signed p' ordin' "Cur' Cha: Carthy—D^r Cl' Pac'."

Accompanying the foregoing certificate is a letter dated "Rolls Office, Dublin, the 23rd July, 1719," from Samuel Powell, "to Mr. John Blenerhasset, at Tralee." Mr. Powell thus writes:—"S^r, I recev^d yours of the 16th Inst^t "with m^cGillicuddy's certific', of which the foregoing is a true Copy of the "Ori'all with us filed. The fees, which are to be paid by you, I have answ^d "to the Officer till your coming to Towne, which are five shill^s and three "pence half penny, and all possible care for the Dispatch thereof has been "taken for you."

Denis M'Gillycuddy married, in 1717 (the marriage articles bear date

February the 26th) Anne, the daughter of Mr., or Captain, John Blennerhasset, of Killorglin, to whom Powell wrote. In 1724, he went to Guelderland, to look after the property his brother Cornelius gave him in 1723. From thence he wrote to his wife, "Mrs. Ann M'Gillycuddy, at Carhuebeg," the following letter :—

"Wageningen, 29th July, 1724, Dutch stile.

"My Dr Life,

"I arriv'd, God be prais'd, at Rotterdam, after a voyage of 14 Days, "all which time I was very sick, and did not eat a pound of any thing, but now "thanck God am Pritty well. Most of my sickness proceeded from trouble in "mind. My Bror writt to me in Corke that he would begin his voyage for "Lisbon in 14 Days time. Pray Lett me know where he is, and How yu and "the Children doe. Tell Mrs Lavery that her Husband is very well, and that "I am very Carefull of him, and that I expect shee will be very carefull of the "children. I find my Busseniss so very Confus'd here that I am afraid I "shan't be able to come over to yu, my Dr, as soon as I Expect'd, but assure "y'selfe I will make al the Hast I can to yr arms, who am yr affect' and "Loveing Husband,

"Whilst

"Den : mcGillycuddy.

"Pray lett me know whether Patrick Slavin sett the Teythes of farrennagatt "to any Body for the use of Hugh Lavery as I did expect he would, and am "sure he did. Order Will' Geyheen to gett in the Debts due to Hugh Lavery."

Denis M'Gillycuddy, on his return from Guelderland, applied himself to obtain from the Crosbies, and from the Herberts, to whom part of Crosby's interest in the M'Gillycuddy estates had been assigned, some settlement of the suits which arose out of the deeds signed by his uncle Cornelius. In this he was aided by the good feeling which prevailed between the Crosbies and his family. In 1727, he wrote to Sir Maurice Crosbie, reminding him that David Crosbie, his father, as certain deeds executed by him set forth, was "nearly related to and concerned for the being and preservation of the family" of M'Gillycuddy, and that "more especially since the conversion of [Dennis]

to the Protestant religion." It would appear that owing to these considerations, the Crosbies gave Dennis very favourable terms, of which he availed himself to recover part of his patrimony.

Denis M'Gillycuddy executed his last will and testament on the 27th of December, 1730, and soon afterwards died. His will was proved by Sir Maurice Crosbie and other executors on the 27th of February, 1731. He left his Guelderland property to his younger children. Among the items of his funeral expenses were the following, viz. :—

"1li 15s 0d expended for an Anchor of Brandy.
"4li laid out in wine for Defunct's Funerall.
"15li due to Mort Sullivane of Killarney, merchant, for ye Defunct's "Funerall Expenses.
"3li 5s 0d p'd Keyne Mahony for Brandy, spent at ye Defunct's "Funerall.
"9li 4s 6d p'd John Cahane of Tralee, for Holland, &c., for s'd "ffunerall."

Anne, the relict of Denis M'Gillycuddy, was married in 1731, to Thomas Herbert, esq., with whom Cornelius, the second son of Denis, had a lawsuit of long continuance. The family papers from this period afford few extracts of more than private interest. The details of the M'Gillycuddy genealogy will be noticed in pages 189 to 204.

OMISSION.

At page 291, line 2 from bottom, insert after the words "Ann's died" the words "St. Agnes, wife of Maurice Leyne, M.D."

M'GILLYCUDDY PAPERS.

I.

A CONSTAT, declaring that Queen Elizabeth granted to Edmund Barrett, in 1595, the Estates of M'Gillycuddy, slain in Rebellion.

[Dated June 8, 1595.]

Constat de Recordo in Rotulis Cancellar' Hib'nie, Quod D'na Elizabeth, nuper Anglie Regina, p' L't'ras suas Patent' sub magno Sigillo Hib'nie, geren' Dat' apud Dublin', octavo die Junii, Anno Regni sui Anglie ffrancie et Hib'nie, Tricessimo septimo, Dedit' Concessit, et Confirmavit, p'dilecto subdito suo, Edmundo Barrett, (inter al') vill' de Charowloughurt, Bodevismeane al's ffarrenegatt, et Tenescartie, cont' inter se duas Cartron' terr' montan' et infertil', un' Cartron' terr', cu' p'tin', in vill' et campis de Charowbeg, un' Cartron' terr', cu' p'tin', in vill' et campis de Ardemore et Ardenegieaghe, un' Cartron' terr' in Baneeloone, duas Cartron' terr' in vill' et campis de Shanevaghe, un' Cartron' terr' in Ardelaghes, un' Cartron' in Leseknogher, in Baron' de Charowloughurt de Kil-allaghe, un' Cartron' terr' de Kieapirash, un' Cartron' terr' in Megaului, un' Cartron' in Charowneerieyghter, un' Cartron' in Braheraghe, duas' Cartron' terr' in Chaherdonellycaraghe, un' Cartron' terr' in Charowneereyeaghterglaneloghe, un' Cartron' terr' in Monefeelagh et un' Cartron' terr', cu' p'tin', in Derileereghiveghe, in Comitat' Kerr', de terr' et possession' Donaldi Geraldagh m^r^ Gillecud. nup' de Podevisemeene p'det', in rebellion' interfect', et authoritat' p'liament' alte p'dicon' nup' attinct' Habend' et tenend', p'efat' Edmundo Barrett, hered' et assign' suis, in p'p'um, ad solum et p'prium opus et usum ipsius Edmundi Barrett, hered' et assign' suor' p'd'c'. Tenend' de d'ca D'na Regina, hered' et successor' suis, ut de Castro suo Dublin', in feod' firm' p' fidelitat' tantum, et in libero et com'uni soccagio, et non in Capite, nec in soccagio in Capite. Ac Reddend' inde annatim item Edmundus Barrett hered' et assign' sui d'ce d'ne Regine, hered' et successor' suis, ad

manus Vicethe s' sive general' Receptor', sui hered' et successor' suor', Regni sui Hib'nie p'cel', p' tempore exist'n', ad receptu' s'c'ii sui in eodem Regno suo Hib'nie, p' vill' de Charowloughurt Bodevismeane et Tenescartie p'd'e'. Quinque solid', p' p'd'e' terr' in Carrowbeg, duos solid' et sex denar', per p'd'e terr' in Ardmore et Ardnegicaghe, duos solid' et sex denar', p' p'd'e terr' in Banceloone, duos solid' et sex denar', p' p'd' terr' in Shaneraghe, quinque solid', p' terr' in Ardlaghes p'd', duos solid' et sex denar', p' terr' in Lesseknogher p'd', duos solid' et sex denar', p' terr' in Kicapirash p'd', duos solid' et sex denar', p' terr' in Megawlui p'de', duos solid' et sex denar', p' terr' in Charowmeecreyeaughter p'de', duos solid' et sex denar', p' terr' in Bragheraghe p'd'e, duos solid' et sex denar', p' terr' in Chaherdonellycaraghe p'd'e, quinque solid', p' terr' in Charrowmeecreycighterglanedoghe, duos solid' et sex denar', p' terr' in Moneselaghe p'd'e, duos solid' et sex denar', et p' terr' in Derilecreigheraghe p'd', duos solid' et sex denar', legal' mon't' Hib'nie, ad fest' s'c'i Mich'is arch'e et Pasche p' equales porciones.

Ex[a] Jacob Newman.

The lands of Bodesmine and other lands of M'Gillicuddy are thus described in Sir George Carew's MSS. (1625), in Lambeth Library:—

	£	s.	d.
"M'Gillicuddy's lands:			
"The Castle and iiij ploughlands of Bodesmine, lying in the Barony of Dunkerron, paying yearly iiij beeves, at val. per an., ...	liij	iiij	
"Note.—The Castle and landes of Bodesmine and Slaght M'Rury lye neare the River of the Launc, and have fisheings therein.			
"The lands of Slughtmacrury, in Twoghelanihe, being xij ploughlandes and half, pay yearly for Dowgallow* xviij querreens of butter and xviij sorreens* of oatmeal a plough, which amounteth in the whole to ccxxv querreens of butter and ccxxv sorrens of oatmeal. Value at £v xiis. vi*d.* s*l*. Also the sheaves of oats out of a ploughland which amounteth to vij^xx sheaves, at value xxxvijs. vi*d.* s*l*. Also for cuddy or refection viij quireens			

	£	s.	d.
of butter and viij sorreens of oatmeal a ploughland, which amounteth to c^tie querrens of butter and c sorrens of oatmeal, at value vs. ster. Also *Coshe*, besides a share in all other duties, in money xis. *b*l. each yeare, also viijs. ij*d*. each yeare, value xis. *b*l. a year, at value per an., ...	xi	vi	ij

* Dowgallow or Dowgdagh was "a certain rent for dog's meat and man's meat among the mountains of Desmond. The lower countries paid it for horse meat and dog meat." "Sorren was extorted by the Earl of Desmond. . . . . is a night's meate upon any such lands as the Earle of Glancare passed through with his forces and companies."—*See* "Lake Lore," by (the late) Archdeacon Rowan, pp. 67, 68. Dublin: Hodges & Smith. 1854.

II.

Memorandum of the passing in patent of M^cGillygeaddy's lands to Sir Charles Wilmot.

[Dated 19 May 1615.]

COMITATUS } Decimo nono die Maij 1615.
KERIE }

Memorandum: forasmuch as the towne and lands of Carrolohirt, Bodsbyunine, fferrenegart, and teneskarty, contayninge twoe cartrons of land, monetaine and heath, one cartron of land in the towne and fields of carrewbegge, one carrene of land in the toune and fields of Ardmore and Ardnageighe, one cartrone of land in Ballecton, twoe cartrons of land in the towne and fields [of] shanby als shaunbyge, one cartron of land in Ardlages, one cartron of land in lishcomoyger in Barronie de carroghirt et Killsallaghe, one cartron of land in keapniriushe, one cartron of land in rewgonslaine als regallin, one cartron of land in carronaneryeighteragh, one cartron of land in Beagheraghe, twoe cartrons of land in caherdonellyeraghe, one cartron of land in carrowneerryeighterylauelage, one cartron of land in menesellaghe, and one cartron of land in dirrylenebaghe otherwise called dirrylaccabaghe, lieinge in the county of Kerie, p^cell of the lands & possessions of donald Geradaghe m^c Gillecudd, late of Bodevisenedan, attainted, and the rents and reuercons thereof, are past in fee simple, absque alicuo inde reddendo, unto Sir Charles Willmott, knight, &

his heires, by l'ters pattent under the greate seale of the realme of Ireland, bearinge date at Dublin the ninth day of December, in the twelfe yeare of his mat's reigne of England, france and Ireland, whoe assigned his estate in the p'misses unto morrisse crosbie, gent, and his heires, by deed bearinge date the tenth of December 1614. It is now therefore ordered that noe p'cesse doe at any time hearafter yssue oute of this courte to molest the said morrisse crosbie, or the ten'ants of the for'said townes, cartrons, and p'cells of land, for any rent or arreares, hertofore reserved on the p'misses by vertue of l'ters patent thereof granted to one Edmund Barrett, gent, and his heires, bearing date the xvith of June in the seavne and thirteth yeere of the late queene Elisabeth's raigne, whereof the Auditor, clearke of the pipe, & other the officers of this courte to whom it ap'p'tenith, are to take notice, and accordingly to see the same p'formed, as alsoe the receaver of his mat's revenue in the p'vince of mounster is likewise herby required to forbeare, from time to time, to molest, trouble, or vexe the said crosbie or his tenents of the said lands, for any rent or arreares of rents, supposed to be due on the same.

Int' in offic' Auditor'
28^{s} Januarij 1630
Ja. Ware, Cl.

Ex' per me Robertu' Bysse, Rem-emorator' T'r'rij et secundar' Rememoratorem.

Intrat' within offic' cl'ici pipe et Ingrosse' magni Rott' S'cc'ij xvi^{o} 9ber 1619. Ex' p' Ro. Downton.

III.

The Award of Walter Crosby concerning the lands of M'Gillycuddy.

[Dated 31. June 1615.]

[Endorsed] An Order for m'Gillycuddy against O Sullivane concer' the two Caruhilones & Ardsilane.

Upone matter of controversie, question, sute, and debate, depended betwixte Owen oge O Sulivan of Balline Gillinevlan, in the county of Kiery gent', of th'one p'tie, and Cnogher m'Gillechedy, of Casteil Conry of th'other p'ti, for

and concerning the Right, Tytle and Intrest, of five ploghlands and twoe p'tes of a ploghland, knowen by the names of Carhownehennewragh, containeing one ploghland; Ardshillan, containeinge twoe ploghlands; Carrownirreghteroghne Ciafelegh, containeinge one plogh': Curownirughtragh Glanlogh, containeinge one ploghland; and twoe partes of a ploghland (being divided in three) in Caher Donellierregh, all in the county aforesaid, w'ch controversi the said p'ties have, of there one mutuall assents and consents, submitted and refered to the lawed order, arbitram' and finall adwarde of us Walter Crosbie Esq', Donell oge m' Donell m' Corm', Dermott lein, and Donell o Shea, w'thin the said County, gent'. And we, haveing called both p'ties before us, and aesepted ther said submission herein, and thereuppon herd and examined there allegac'ons and approbac'ons on both sides, find that the inheritans of the foresaid p'celes of land of Right doth anciently belong to the said Donogh m'Gillichedy, and that the same have ben out of his and his p'dicessors' hands and possession only in mortgadge. Uppon full considerac'on thereof, and other the materiall circumstances of the cause, wee, ye above named arbitrators, have and by these p'nts order, awarde, and arbitrat, as hereafter followeth, vzt:—That he the said owen oge o Sulivan, his heires or assignes, shall make over all the Rights, titels, escripts, writings, or ani other intrest whatsoever in him lieth he hath, or by ani meanes may or ought to have, togither w'th an estate in forme of law of the said Carhownehonierragh, Artsheelhane, Caromirieghte'ne Ciaselegh, Carromirieghtregh Glanlogh, and two p'tes of ploghland in Caherdonellieregh, from him the said owen, his heares and assignes, unto the said Cnogher, his heares and assignes for ever, accordinge as the learned Councell of the said Cnogher shall devis or advise, and that that to be don by the said Owen, his heares and assignes, when and as often as he, [or] they, shalbe herunto required by him the said Cnogher, his heares or assignes. We doe also arbitrat and order that the said Owen and his hers shall warrante and defend the said Cnogher, his heares and assignes, from all former estats, escripts, dowries, Jointe' or other estats what soe ever, and from all claiming Intrests from him by him or ani other of the septe of O Sulivane More. We have likewise concluded and ordered betwen the said p'ties that the said Cnogher shall have possession of all the said lands at or before the last of August next following, and then shall make unto the said Owen oge o Sulivan and his hears an estate of Mortgadge of the towne

and lands of Carromirieghtreghine=Ciasdegh Carromireighstregh and the twoe partes of Caherdonellierragh, containing by estimac'on twoe ploghlands and twoe p'tes of a ploghland, for the som' of threescore and ten Pounds, corant mony in England, according as the learned councell of the said owen shall advis and devise, when he shalbe hereunto required by the said owen. It is alsoe ordered that the said owen, his heres and assignes, shall have and hould the said lands a wholl yeare after the Redemption, yielding and paiing, out of everie plogh' of the premisses, three poundes ster', by equall porcions, at Easter and Michaelmas. Dated at Aghadoe the xxxj^st of June 1618.

By these woords of warenties of the sept of O Sulivan more w'thin specified in the xxxv^th lyne is mente but only against Donell o Sulivan graundfather to the said Owen oge o Sulivan, and those that ar linaly decended from him the said Donell. In witness whereof we the said orderers have herunto put o^r hands and seales the day and yeare above written.

(loc. sig.)	(loc. sig.)	(loc. sig.)	(loc. sig.)
W. Crosbie	D. C	De : Leyne	Daniel Shea

Signed sealed perfected and pronounced in p'sents of us whose names ensue
Ter : Brenain—Morogh m^c Cnog.—Dermod Phalvy—
Tragynenyn o Learie's Marcke+ ; Arthur Glauster's Marcke+.

IV.

Conveyance of the Lands of Aunygarrie and Behighane to Connor M^cGillycuddy.

[Dated last of February, 1623.]

Noverint univers^i p' p'ntes me Thadeu' m^c ffynen' o Sullevane de Aunygarrye in Comitatu Kerrie, gener', firmiter teneri et fideliter obligari Cornelio o Sullevane, alias m^c Gilleeuddy, de Castell kurig in predicto comitatu, gener', in trecentis libris bone et legalis monete in Anglia. Solvend' eidem Cornelio, heredibus, executoribus et assignatis suis ad eius vel ip^sorum' b'n'placitu' et voluntatem. Ad quam quidem solucionem b'n' et fideliter faciend', ego predictus Thadeus obligo me, hered^s, executores et assignatos meos, firmiter

p' p'ntes. In cuius rei testimoniu' p'ntibus manu' subscripsi et sigillu' meu' apposui. Datu' ultimo die ffebruarij 1623.

Whear theabove bounded Teig m' ffynen hath passed all his right, title and interest whatsoever, to the said Connor o Sullevane, alias m' Gillecuddy, in and of one ploweland in Aunygarrie* called ffearyn noghtraghe, in the towne and lands of Beghechane Tlaghta Teig, and the castell of Bunn Inyre, containing one ploweland more or lesse, and the third parte of a ploweland in Ardmore and Mealla, within the baronie of Dunekierane, in the countie aforesaid. The condic'on therefore of this p'nt obligac'on is such that the said Teig m' ffynen, his heires, executors, and assigns, and every of them, shall, from tyme to tyme and at all tymes herafter, upon demaunde made by theasid Connor o Sullevane his heirs and assignes, passe and make a sure and indefeacible estate in lawe of theabove nominated parcells of lande (as the learned counsell of the said Connor OSullevane his heires or assignes shall advise or devise) to the said Connor his heires and assignes for ever: That then this obligac'on shalbe void in lawe, otherwise to stand in full force and effect.

Teig m' ffynen Sullevane's
marcke –

Being p'nt at the signing, sealing and deliverie hereof, we, whose names do followe,

Der' Leyne.
Edmo'd m' Swiny.
Dermod m' Donnogh.
Teig m' Donugh.
Aulife o Sullevane.

* These seem to be the same lands, which were granted to Sir John Davis by the King in 1616, as appears by the following extract from the Patent Rolls of Chancery, namely:—"Kerry Co—in the two Owingarries, 2 plowlands, parcel of the Estate of Teige oge M' Teige M' Shane O Sulivan, attainted.—in Beachane ½ plowland; parcel of the Estate of Gilliody m' Teige oge, and of Teige oge late of Owengarries, attainted."

[Pat' Rot' 13° Jac I. p. 2. d. m. 43.]

V.

Exoneration of certain of M'Gillicuddy's Lands from Rent reserved to the King.

[Dated 28th November 1628.]

[Endorsed] An Order against my Lo: Boorke Graunt' 1628.
xxviij No: 1628.

Term'o S'c'i Mich'lis 1628.

Co: KERRY. Whereas proces issued, out of this courte, ag^t^ ye Tennants of ye Townes, and Lands, of Bodevismine, in ye Countie of Kerry, p'cell of ye possessions of Donough m^c^ dermott o Swilevan, otherwise called mac Gillecuddy, whoe died in rebellion; for ye yeerly rent of Lij^li^, and ye arreares thereof, w'ch rent was reserved uppon a graunte, made to Theobald, Lorde Boorke, now Lo: Barron of Brittace, dated xxij^o^ Martii 1604. Uppon w'ch proces, Connor m^c^ Gillecuddy, gen', now Tennante of ye p'misses, appe'd in Courte this Tearme: and alleaged y^t^ he ought not to be Charged w'th ye said rent and arreare: or anie parte thereof, and that he deriveth noe estate in ye p'misses, from, by, or under, ye graunte made of ye same to ye said Lo: Boorke, nor ever compounded w'th him, (or anie other to his use) for the same: butt enioyed ye said Lands as his owne and ancient Inheritance. And therefore desired that noe further proces issue againste him, for ye said Rent, and Arreare; W'ch being taken into Consideracion; ffor as much as it app'eth (by severall Certificats under ye hands of ye Surveyor generall, ye Cheife Remem', M^r^ Auditor Generall, and M^r^ Jacob Newman, remayninge in ye Second Remem' office,) that they cannott finde anie S^r^ vey office payem^t^, or assignem^t^, to Charge ye said Lands w'th ye said Rent, other then ye graunte of ye said Lo: Boorke;—The Courte doth therefore order, y^t^ noe further proces issue againste ye said Connor m^c^ Gillecuddy, or anie his Ten'nts, for ye said Rent and arreare, or anie p'te thereof; but to be Exon'ated and discharged thereof. And if ye Sherriffe of ye said Countie hath taken anie Moneys, Bonds, Bills, or other Security, for ye same, he is to restore ye same backe againe, by Vertue of this order; and he to have due allowance thereof, on his Accompts: Whereof ye Auditor, and ye Clarcke of ye Pipe, and all other officers of this Courte, whome it maie Concerne, are to take notice.

Ex' p' Hen: Warren.

Intr' in officio Pipe, Libr' E, fol' 221. Ter'i'o Trinitatis 1629.

Tho: Newcomen.

VI.

A deed of Connor M'Gillicuddy, securing a provision for his wife, and written the year before the voyage in which he perished.

[Dated 12 October 1629.]

To all Christian people to whome this deede of feoffm^t shall com, Cnoghor m^c Gollacuddy of Castlecurrigge, in the Countie of Kierry, gent', sendeth greeting in our Lorde god everlasting. Knowe yee that I, the said Cnoghor, for divers good causes and valuable consideracons me thereunto moveing, have given, graunted, enfeoffed, assured and confirmed—And by these p'ntes doe give, graunte, enfeoffe, assure and confirme, unto Daniell oge Carthie ye younger, of Doungil, in the said Countie, gent', and Diermod m^c Daniell ô Suollyvane, of ffermoile, in ye said Countie, gent', to ye ensueing uses hereunder written, all and singuller the Townes, villages, landes, tenementes, and hereditam^ts followeing, v'z, Listiconnor conteining one plowland, Fowloows conteining one plowland, Kranaghcnruish conteining one plowland, Rahurowmireoghteraginykesallagh containing one plowland, Cahurrowmirieragh Glanlogha cont' one plowland, Bracahuragh cont' one plowland, Kahurdonnellerragh containing tow plowlands, & Ardshillane cont' tow plowlands, the whole conteininge 10 plowlands in Countie of Kierie afores'd, with all and singuller the messuages, woods, underwoods, mills, sutes of mills, watters, wattercourses, weares, com'ons, pastures, arcable lands, inclosures, meddowes, moores, Marishes, Turfe, Turbaries, Quaries, mynes, and all other partes, p'cells, members, priviledges, advowsions, issues, profits, advantages, appendaunces, and app'tenences whatsoever, to ye p'misses belonging, or in any wise app'teining, and there Reversion and Reversions, Remainder and Remainders, of ye p'misses, and of every parte and p'cell thereof—To have and to hould all and singuller ye fore said Townes, villages, hamletts, lands, tenements, and hereditaments, with there and every of there appendaunces and app'tenances whatsoever, and assygn . . . . Daniell Carthie ye younger and Dermod m^c Daniell o Sullivane, theire heires and assygnes, & to ye sur[vivor] of them, his heires . . . . . ever, to ye uses, intent lymitac'ons and trew meanings w'chheere under written shall be declared . . . . . uses whatsoever—To be holden of ye just Lorde

of ye fee by ye services thereof dew & of right accustomed. And I, ye said Cnoghor m' Gillacuddy, for me, my heires and assygnes & every of us the p'misses w'th thapp'tenances shall warr' & defend unto ye said feoffees, theire heires & assygnes, to ye uses heere underwritten, against all person and persons whatsoever. And further knowe yee that I have and doe heerby for me and in my name constitute, depute, & authoryse my welbeloved Dermod m' Daniell Carthie, of Dungile in ye countie aforesd, gent', my true and lawfull [atturny] to enter into ye p'misses or to eny parte or p'cell thereof, in ye name of ye whole lands, and thereof and therein to take possession & seisen, and afterwards to deliver & give full actuall and quiet possession & seisin thereof unto ye said feoffees, or unto eny or either of them, as well in his owne name as in the name of his co feoffee, to enure to them, their heires and assignes, to ye uses heereunder written, according to ye effect of this deed. Ratefieing and confirming whatsoever my said Atturney shall doe, or cause to be done, touching ye p'misses. In witness whereof I, the said Cnogher m' Gillacuddy, have hereunto putt my hand & seale. Dated ye xij^th^ day of october, Anno 1629, and in ye fifth yeare of ye reigne of our soveraigne L: King Charles, that now is, of England, scotland, ffraunce, and Ireland, &c.

Th'only intent, purpose, and true meaneing of the makeing of y'above deede of feoffm', was and is, and heercafter for ever shall be, and it was declared at the p'fecting thereof, executeing of the same with liverie of seizin: That ye said feoffees, theire heires and assignes, & the survivor of them, his heires and assignes, shall remaine, stand, and be sesed of all and singuller ye said Townes, villages, hamletts, lands, tenements, and hereditaments aforesaid, with theire and every of theire appendaunces and app'tenances whatsoever, and of ye rents, issues, and p'fitts of ye same to ye use, behoof and Comoditie of my Lawfull and married wife, Shily ny Daniell Carthie, dureing her naturall life, without impeachm' of waste, and after her decease, to ye use, behoofe, and Comoditie, of ye heires males of my body lawfully begotton, and to be begotten, uppon ye body of ye said Shyly. And for want of such heires, to ye use, behoofe, and Comoditie, of ye issue f male by me begotten, or to be begotten, uppon ye body of ye said Shily, towards theire p'ferment, as heereafter shall be declared. And for want of such issue, ye Remainder to be to ye use of me, ye said Cnoghor m' Gillacuddy, my heires and assignes for ever. Provided allwaies and yet nevertheless, ye intent and true meaneing of this deede, that when-

soever I, ye said Cnoghor, my heires or assignes, shall well and truely sattisfie, content and actually pay, or cause to be well, and truely, sattisfied, contented and actually payed, unto ye said feoffees, theire heires or assignes, in one intire payment, ye sum of foure hundred pounds ster' good and lawfull curr' money, of and in England, for ye use, benefitt and Commodittie of ye said Shylly, dureing her naturall life, and, after her decease, to ye use and benefitt of ye heires males lawfully begotten, and to be begotten, by me uppon her body for ever. Or, for want of such heires, whensoever I, ye said Cnoghor, my heires or assignes, shall sattisfie and pay unto ye said feoffees, their heires or assignes, to ye use behoofe or Comoditie of ye said daughters by me begotten, or to be begotten, uppon ye body of ye saide Sheely, towardes theire p'ferment, ye sum of Six hundred pounds ster', good and lawfull curr' money of and in England—Then and not before, this deede to be void and voidable in Law, eny thing here contained to ye contrary notwithstanding. Provided further, and so it is ye intent and meaneing of theise p'ntes, that if ye said foure hundred pounds ster' shall be sattisfied and payed, as afores'd, yt tow hundred pounds ster' thereof shall be to ye use of my s'd daughter, if there be one [by] me uppon ye bodye of my saide wife; after ye decease of her, if there be not such heires males by me begotten uppon her body as aboveseid. And untill ye said two hundred pounds ster' shall be payed to use aforesaid for want of such heires males y^e^ rents yssues and p'fitts of all ye p'misses to be to ye use of such issue female, after ye decease of my saide wife.

Connor m'Gillacuddy.

Signed and sealed by the within named Cnoghor m' Gillacuddy, and after by him delivered to Daniell Carthie the elder, of Doongile, gent', as well to ye use of the within named feoffees, to ye use w'thin declared, as allsoe to ye use of ye Atturney within specified, in ye presence of us, whose names ensue, ffrancis Roch—William Creagh—Cnoghor oge o Sullyvane.

Being p'nte when Dermod m' Daniel Carthie, ye Atturney within named, hath delivered, and given, full, actuall, and quiet, possession & seisin, of ye within p'misses, unto Daniell Carthie ye younger, one of ye feoffees within menc'oned, as well in his owne name as in ye name of his Co-feoffee, to have, to them, theire heires and Ass^s^, to ye uses w'thin declared, according the effect, intent & trew meaneing of this deede. And aswell when ye severall Leassees of ye p'misses have severally Atturned to ye said Daniell Carthie, aswell in his owne

name as in ye name of his saide co-feoffee, by giveing him six pence, ster'. from every of them to the within declared, in ye name of attturnem^t, in the p'sence of us, whose names ensue, vz Owen m^c Carthie—Owen m^c shane m^c Cnogher—Owen m^c Dermott his m'k—Charles Carthy—Diormud m^c Sheane his m'k.

Copia v' Ex^d. Da: Crosby.

VII.

An Order exonerating M'Gillicuddy's lands from the Rent reserved upon Barrett's grant.

[Dated in Hilary Term. 1630]

[Endorsed] An order to free M'Gillycuddy of the King's Rent.

Ter'no s'c'i Hillarij, 1630.

Com' Kerry

Whereas proces issued out of this Courte, against the ten^t of the Towne and lands of Carrowlougert, Bodevisendan and Teneskarty, containinge 2 Cartrons of land in the county of Kerry, for the yearly rent of v^s; one Cartron in Carrowbegg for the yearly rente of ij^s vj^d; one Cartron in Ardmore and Ardnegreagh for the yearly rent of ij^s vj^d; one Cartr' in Baneclone for the yearly rente of ij^s vj^d; 2 cartr' in Shanneragh for the yearly rent of v^s; one Cartr' in Ardlaghies for the yearly rent of ij^s vi^d; one Cartr' in Lisknogher for the rent of ij^s vj^d p' annu'; one Cartr' in Capough [Kicapira in another copy] for the rent of ij^s vj^d p' annu', one cartr' in Magaulen [Meaghgawlen in another copy] ad ij^s vi^d p' annu'; one Cartron in Carrowneereighter ij^s vi^d p annu'; one Cartron in Bragheragh for the rent of ij^s vi^d p annu', two Cartr' in Caherdonileragh ad v^s p' annu'; one Cartr' in Carrowmeereghtera Glanlogh ad ij^s vi^d p' annu', one Cartr' in Mounicfelagh ad ij^s vi^d p' annu'; in all xlv^s p' annu', p'cell of the lands and posses' of Donnell Gerraldagh m^c Gillicuddy, late of Bodevesudan, slaine in Rebellion, and attainted by the act of p'liament . . . . . behind and unpaid for xvj^en yeares endinge . . . . 1630 amountinge to xxxvj^li, w'ch severall rents weare Reserved upon letters pattent graunted to Edmond Barrett, his heires and assignes, dated viij Junii, anno xxxvij Eliz', upon w'ch proces donnogh m^c Connor m^c Gillicuddy, g'n', late

tenⁱe of the premises, appeared in Courte this Tearme and alleadged that the said severall lands before mencioned were, since the said Barrett's Graunte, past in fee simple to Sʳ Charles Willmott nowe viscounte of Athlone, absque aliquo perinde Reddendᵒ, and that the severall rents aforesaid have beene duely paide untill the date of the said fee simple, and therefore desired that noe further proces issue against the said lands for the same. But that they may be extinguished and put out of Charge. Wᶜh beinge taken into consideration, the Courte doth therefore order that Master auditor generall shall examine the true state of the Cawse, and Certifie whether the said lands be past in fee simple as is alleadged, and the rents duely paid untill the Graunte in fee simple, that such further order may be taken thereon as should be thought fittinge. Accordinge unto wᶜh order his Maᵗⁱᵉˢ Auditor Generall made Certificate *in his verbis* vizt.—"upon search made I find that the lands nowe mencioned in the order of reference weare first graunted to Edmond Barrett, in fee fearme, anno xxxvij Eliz' at the rents formerly mencioned. Allsoe I find another graunte of all the said lands and rents formerlie reserved, and made to Sʳ charles Willmott, knight, nowe lord viscounte of Athlone, in fee simple, dated the xixᵗʰ of December 1614, untill wᶜh late graunte the former rents weare fully paid. *James Ware*."— All wᶜh beinge taken into consideration, and forasmuch as it appeareth unto the Courte, that the allegations aforesaid are true, it is therefore ordered, and thought fitt, that noe further proces shall issue against the said Donnogh mᶜ Conogher mᶜ Gillicuddy, or his tenants in the premises, for the said rents or arreares reserved on the said Barrett's, or his graunte, but that he and the said lands be thereof freely discharged and exonerated for ever. And it is allsoe ordered that if the sherife of the said county hath uppon any proces to him issued taken any monies bills, bonds distresses, or any other security, for the same, hee is to restore the same backe againe. And hee be thereof exonerated on his account by vertue of this order, whereof the severall officers of this Courte, to whom it concernes, are to take notice.

Intrᵗ in officio Auditoris Hen. Warren
Ja: Ware

Intrᵗ in officio Clerᵏ pipe, libr' f, fol' 171, Trin̄o pasᵗ 1631.
Tho: Newcomen

A copy of the above is signed as follows:—

Ri. Bolton
Copia vera ex' per
Hen. Warren.

There are three copies of this document one of which is thus endorsed:—

"An order mentioning that the rent receayed uppon Barrett's graunt was dischardged befor my Lo: Wechnott's graunt & then extinguist."

VIII.

Assignment of William Creagh's mortgage upon the lands of Ardlaghis and Banecloone.

[Dated 8 of May, 1631.]

[Endorsed] Willm Creagh—assignment of his mortgadge of Ard' & Bond for £54. 4s. 6d.

I, William Creagh, of the Citty of Limbricke, march', doe acknowledge to have had & received from David Crosbie, of Ardfert, in the Countie of Kyrry, Esq. the some of fortie two pounds, togither w'th Twelve pounds fower shillings six pence, ster'. And that in full consideracion of the mortgadge I had upon the two plowlands of Adlagisy & Banclone, being 42[l] the mortgadge & 12[l] 4[s] 6[d], arreares of rent due unto me uppon the s'd lands, w'ch deed of mortgadge bears date the xx[th] of September 1622 and now remayns in the custody of the sayd David Crosbie. In consideracion of w'ch, I doe herby assigne over unto the s'd David Crosbie, his heires, Executors, adm' or assignes, all my whole tytle, right & Interest, in the said land & deede, and alsoe in a bound obligacion of one hundred pounds, ster', wherein Conno' m' Gillycuddy, late deceased, David Roch, & Mortagh o Shigrow are bynd for the true p'formance of ye s'd deede of mortgadge & all condicions therin incerted. In wittnes wherof I have herunto putt my hand & seale the eight of may 1631.

William Creaghe.

Being p'sent att the signing, sealing, and delivering herof, we whose names ensue:—

Da: Andrewes
To': Shierly
his
John [illegible]
mark

IX.

An imperfect Rent Roll of M'Gillycuddy's lands.

[A Fragment, on Parchment, dated 1631.]

Rentall of m'Gillycuddies rent Michael' 1631.

	l	*s*	*d*
The two plowlands of Barinygatt & Teniskarty,—woorkmen uppon occasion.— a Heriatt uppon the death of evrie tenant—not to alcane [alien ?] anie of theire leases without my consent first had in writing, averie Dowling [dwelling ?] uppon the p'misses are to contribuit to give healpes as occasion requires	3	ij	6
The two plow: of Carubeg & the Ardis with all the afor's'd condicions	10	0	0
The two plow: of Banclone & Ardlegisis with all the aford's'd condicions	4	vi	0
The two plow: of Carunihones w'th all the afor's'd condicions	4	0	0
The Mill	3	2	6
The two plow: of Shaniry with all the afors'd cond':	6	0	0
The two plow: of Calidonellirogh, a Lease of 21 yeares beginning the first of 9ber 1628. 10 guerins 2 muttons & a Hogg w'th all the s'd cond'.	2	0	0
The plow: of Bracarigh,—a Hogg and two muttons w'th all the s'd cond'	2	2	6
The plow: of Carumire w'th a Hogg & a mutton, and all the s'd condicions, ...	2	0	0
The two plow: of Capinrus & the Goulane,—8 guerens uppon Teig o Galuone & uppon Danell m' Der' oge [blank] guerens—a Hogg & a mutton upon both, w'th all the s'd cond' . .	7	13	4

	l	*s*	*d*
The plow: of Glanlogy for a veale and a hand of butter 2*s*. a Hogg & a mutton & a Capon. for 21 yeares beginning the 19th of Aug: 1628. w'th all the s'd condicions	1	12	0
The plow: of Derilettecouse xvj guerins a Hogg & a mutton w'th all the s'd cond'		15	0
The plow: of Dirinaulitle w'th all the s'd cond' .		17	6
The plow: of Munidugh w'th all the s'd cond' . .	1	2	6
5 p'tes of a plow: of Ardmore. 3d p'te of a plow: of the meles.		9	0
The two plow: of Ardsilane. . . . . The Ilands		10	0

mo: o Shigron, mo: Clarigh & Teig m'c Tilahir Their p'te of Cahir.

X.

A certificate concerning a law suit between S. Raymond & D. Crosbie.

[Dated 11 June, 1632]

Samuel Raymond, pl'f
John fitz Gerrald &
David Crosby esq'r defend'ts

xj° die Junii 1632

Uppon search this day made in my office I find that the pl'f filed his bill against the Defend'ts in Hillary tearme 1630, unto w'ch bill the Defend'ts made aunsweare in Trynity tearme 1631. But as yett I find noe Replicae'on put in by the pl'f against the Defend'ts

Ex' p' Rob't Kennedy.

XI.

Will of The O Sullivane more.

(There are two copies of this document.)

Dated 14 November 1632.

In dei no^me, Amen. I, Doniell O Sullivane, als O Sullivane More, of Dunkieran, in the County of Kierry, Esq, being att this Instante of p'fect witt & memorie, sickely in body, haveing God before mine Eyes, & being sure that death is certaine & the houre thereof uncertaine, do hereby make my last will and Testament, in Manner and forme as hereafter followeth :— ffirst, I commend my Soule to the Hollie Trinitie and all the S^ts in heaven. My bodie to be interred & buried in the Abby of Irrelagh, in my pradicesso^rs tombe. Secundarily, I appointe & constitute owen o Sullivane, my eldest sonne, to bee my true & lawfull heire, to whome I leave all my rents, lands, and Living, w'thin the Count' of Kierry. Thirdly, I leave to my wife, Juan fitz Morish, Cuillinaghe, contayning two plowlands, Ardbenturke containing one plowland, Kuilenagh one plowland, Clueagh one plowland, Rossdoghin one plowland, with all theire app'tenances whatsoever, and alsoe I bequeath and leave to my said wife certaine glinds & pastures, vid^t,:— Gleannicky, Sronohiry, Cluon, the one haulfe of Bohisall, all w'ch lands shall stand to the use & behoofe of my said wife, for tearme of her naturall life. And I doe alsoe hereby give full power, & authoritie, to my said wife, to ingadg & mortgage some three plowlands of the premisses, as shee shall thinke fitt, for three hundred pounds, ster', & this to bestowe, & give to any of her sonne, as to her shall seeme meete. ffourthly, I leave & bequeath unto my daughter Svly, for her maintenance, & towards her p'ferment, three hundred pounds, ster', besides what chattle & mony shee hath in hand herselfe. To my daughter Ellen, tow'rds her p'ferment, I leave one hundred & seaventie pounds, besides what the Countrie will affoord her. And to Mary, my youngest daughter, the some of one hundred & thirtie pounds, ster', and what the Country will affoord her. And, untill these severall sumes bee paied to them by my heire, each of them is to have according to te . . . an hundred yearly for theire Maintenance. Provided that the said daughters shalbe directed by my sonne & heire, my wife & and my deerest friends concerning theire preferm' & marriadge, otherwise to allow them noe

portion. fifthly, my said wife is to have & enioy all the Chattle & Corne that I am possest of att this instante. Lastly, after the expirac'on of William ny hinsy his lease, past to Edmond m' Hue, of the two plowlands of Ardkinturke & Cladagh, I leave here, by my last will & testam', to the said Edmond a lease of seaven yeares, paiing thereout yearely neine pounds. In wittnes whereof I the said Daniell o Sullivane have hereunto putt my hand & seale the 14th of 9br 1632,

Daniell o Sullivane more.

Being p'nte when thabove will & Testament was made, besides o'r, wee whose names doe followe

John ffyeld,
Dermod Leyne,
Melaghlen o leyn,
Patricke Traunte.

I Owen o Sullivane sonne & heire to the w'thin named Daniel o Sullivane More doe hereby ratifie, allowe & confirme, thabove will & testam' of my father, condicionally that my mother shall pay one hundred pounds, of the three hundred by legacie left by my father to any of his sonnes, & this sume of money to bee paied accord' to the election & direction of my mother, to any of her sonnes, as to her discretion shall seeme fitt. And for the interest allowed by my father to his three daughters, out of six hundred pounds porc'on left to them, the said daughters, We, vid'. Syly, Ellen, & Mary, out of our kind love to our brother, doe hereby release, accquite & exonerate, the said Owen of & from the interest issueing out of the said six hundred pounds, for tearme of three yeares, to bee fully completed & ended, beginning att the day of theis p'ntes. In wittnes of all the premises, wee the said owen o Sullivane, Joane fitz Morish, Syly, Ellen, & Mary have hereunto putt our hands & seales the 29th of 9ber 1632—(Signed)

Joane fitz Morrice,
Owen o Sullivane More.
Syly Sullivane her marke.
Ellen Sullivane her marke.
Mary Sullivane her marke.

Being p'nte att the seigning & sealeing hereof wee whose names doe hereafter followe

Morish Moore.
Daniell O'Sullivane.
Owen Sullivane fitz Dermod.

Concordat cum originali, quod testor.

Willm Pierce, Notar' publ'. Deput' Reg'rar.

XII.

Inquisition after the death of Connor M'Gillycuddy.

[Dated at Killarney 16 April 1633.]

[Endorsed] Inquisitio post mortem Connor m' Gillycuddy 16 Aprill 1633.

COM. KERRY. } Inquisitio Indentat' capt' apud vill' de Killarny in Com' Kiery pred' decimo sexto die April', Anno D'ni 1633, Annoque Regni d'ni n'ri Regis Carol' Anglie, Scot', ffranc', et Hib'nie nono. Coram Henric' Harte, gener', Escaetor' dict' d'ni Regis Com' pred', Thoma Joy, Ar'o, et Collo' Joy, gener', virtute com'ission' ejusdem d'ni Regis sub magno sigillo suo hujus regni sui Hib'nie geren' Dat' apud Dublin' decimo die Julij, Anno Regni sui octavo, eis et al' sine Aliquibus duobus vel pluribus eor' inde direct'. Quor' Philipus Percivall, Armiger, ffeodar' dict' d'ni Regis Com' predict' aut eius Deputat', aut dict' Henric' Harte aut eius Deputat' unus esse debet. Ad Inquirend' (inter alia) quas terr' et que ten'ta Cornelius, alias Connor m'Gillacuddy, nuper de Castlecurrig, in Com' Kiery pred' gener' defunct' tenuit de dict' d'no n'ro Rege Carol' aut de aliquibus progenitor' vel predecessor' suis in capite tam in d'nico quam in servic', die quo obijt, et quant' de al' et per quod servic', et quant' terr' et ten'ta, ill' valent per Ann' in o'ibus Exit' ultra repris', et quo die Idem Cornelius obijt et quis propinquior heres eius sit, et cuius ætat', et si maritat' sit, necne per sacrament' probor' et legal' hom' com' pred' quor' n'o'a subsequuntur, vizt:—Donald ffeares de Ballymallis, Ar', Edmond Hoare de Ballynorigh, gen', ffeares m' Owen de Currines, gen', Garrett oge Brenagh de Ardfert, Burg', Cosnigh m' Boheligg de Cappaghilme, gen', David m' Andrew de Ardfert, Burgen', Donil mac Donogh de Maline, Burgen', Dermod m' Donogh de Gortnascarry, gener', Dominic

Traunt de Rahinogh, gen', Dermod m' ffinin de Killone, generos', Owen m' Murtagh de Aglis, gener', Richus oge Necargy de Callanaferry, gen', Owen m' Dermott de Imilynore, gen', Cormacke m' Daniel Carty de Coinegoe, gen', Donald m' Owen de Ballingamboone, gener'. Qui jurator' super sacrament' suu' pred' dicunt quod prefat' Cornel' als Connor mac Gillacuddy seit' fuit in d'nico suo ut de ffeodo de et in vill' et terr' de ffarranegatt et Telmeskartie, in Com' pred', continent' duas Carrucat' terr' Ann' valor' quinque solid'. Et sic inde de tal' stat' de premissis pred' scitus existen' pro et in Consideraco'e Sum' Cent' et quinque Libr' decem solid', ster', inde per chart' sua' Dat' quarto die August', Anno d'ni, 1627, ffeoffavit Jacobum fitz Gerald, Arm', hered' et assignat' suos, imperpet' sub Condico'e Redempcon' super solucon' sum' Cent' et quinque libr' decem solid', ster', prout per eandem chart' magis plane liquet. Et ulterius dicunt Juratores pred' super sacrament' suu' predict' q'd prefat' Cornelius, als Connor m' Gillacuddie, seit' fuit in d'nico suo ut de ffeodo de et in vill' et terris de Listigonnor, in Com' predict', contin' un' Carrucat' terr' Ann' valor' duor' solid' et sex denar': Keapahouriushe cont' un' carrucat' terr' in Com' predict' ann' valor' duor' solid' et sex denar'; et Derrynaulife cont' un' carrucat' terr' ann' valor' duor' solid' et sex denar'. Et quod prefat' Cornel' sic de premiss' de tal' statu seit' existen', pro et in Consideraco'e Sum' Centum libr' ster', inde per chartam sua', dat' decimo quinto die Junii Anno D'ni 1623, ffeofavit Dermod m' Donogh et hered' suos imperpet' sub condco'e Redempcon' super solucon' sum' Centum libr' ster' prout per eandem chart' magis plane apparet. Et ulterius dicunt Jurator' pred' super sacrament' suu' pred' quod prefat' Cornelius, alias Connor macGillacuddie, seit' fuit in d'nico suo ut de ffeodo (inter alia) de et in vill' et terr' de Gowlans contin' una' Carrucat' terr' in Com' predict' ann' valor' duor' solid' et sex denar'; Karhonireieghtragh ne Karsallagh continen' un' carrucat' terr' in Com' pred' ann' valor' duor' solid' et sex denar'; Carhownirerogh Glaneloghy contin' un' carrucat' terr' ann' val' duor' solid' et sex denar'; Bracabaragh continen' un' carrucat' terr' ann' valor' duor' solid' et sex denar'; et Cahirdonilieragh contin' duas Carrucat' terr' in Com' pred' ann' val' quinque solid'; et prefat' Cornel' sic de tali statu de premiss' seit' existen' per chart' suam, Dat' duodecimo die Octobr', Anno d'ni 1629, inde ffeofavit Donald oge Cartye, iunior, de Dunguile in Com' Kiery pred', gen', et Dermit m' Daniel o Sullevane de ffarmoyle in Com' pred', gen', ad diversos usus in eadem charta specificat' prout per eandem magis plane

liquet. Intentio cuius quidem chartæ sequitur in hæc verba, vizt :—The onely intent purpose and true meaneinge of the makeing of the above Deede of ffeoffment was & is and hereafter shalbe, and soe it was declared at the perfectinge thereof and executinge of the same with liverie & seizin, that the said ffeoffees, their heires and Assignes, and the survivor of them his heires and Assignes shall stand remaine & be seised of All and singular the said townes, villadges, hamletts, lands, tenements, and hereditaments aforesaid, with theire and everie of theire Appendances & Appurtenances whatsoever & of the rents issues, and profitts of ye same, to the use behoofe & Comodity of my lawfull and married wife, Shily ny Daniel Cartye, duringe her naturall life without Impeachment of wast, and after her decease to the use behoofe & Comodity of the issues ffemales by me begotten or to be begotten upon the body of the said Shilee towards theire preferment, as hereafter shalbe declared. And for want of such issues the remainder to be to the use of mee the said Connor m^c^ Gillacuddy my heires and Assignes for ever. Provided allwayes, and yet neverthelesse, it is the intent and true meaneing of this Deede, that whensoever I, the said Connor, my heires or Assignes, shall well & truely satysfie, content, and actually pay, or cause to be well and truely contented, satisfied, and actually paied, unto the said ffeoffees, theire heires or Assignes, in one Intire payment the sume of one hundred pounds, ster^l^, good and lawfull Current money of and in England, to the uses, benefitt & Comoditie of the said Sheelee dureing her naturall life, and after her decease to the use and benefitt of the heires males lawfully begotten by me upon her body for ever, or for want of such heires whensoever I, the said Connor, my heires or assignes, shall satisfie & pay unto the said ffeoffees, theire heires or Assignes, to the use, behoofe, or Comodity, of the said daughter by mee begotten, or to be begotten, upon the body of the said Sheelee, towards her preferm^t^, the sume of two hundred pounds, ster^l^, thereof shalbe to the use of my daughter, if there be any such by me upon the body of the said Shilee, after the decease of her if there be noe such heires males by mee begotten upon her bodie aforesaid, and untill the said two hundred pounds, ster^l^, shalbe paied to the said ffeoffees to the uses aforesaid; or for want of such heires males, the rents, issues, and profits of all the p^r^misses to be to the use of such issue ffemale, after her decease, of my said wife. Connor mac Gillacuddie: signed sealed and delivered by the within named Connor mac Gillacuddy to Daniel o[illegible]

Carthye, the elder, of Dungcle, gentl, as well to the use of the Attorney within specified, in the presence of us whose names ensue, *viz.*—*Robert Wilder, William Creagh, Connor oge o Sullevane*. Being present when Donogh mc Donell Carthey, the Attorney within named, hath delivered and given full, actuall & quiet possession and seisin of the within premisses unto Daniell oge Carthy the younger one of the feoffees within mencioned, as well in his owne name as in the name of his Coffeffees, to remain to them their heires and Assignes to the use within declared. According to the effect, intent and true meaneing of this Deede, and aswell when the severall Lessees of the premisses have severally Attorned to the said Daniell, as well in his owne name as in the name of his said Coffeffees, by giveing him sir peece, scrf, from every of them to the use within declared, in the name of Attornments in the presence of us whose names ensue: *Owen mc Carthy, Owen mc Shane, Cane Carthy, mc Dermod, Charles Carthy, Dermod mc Shane*.—Et vlter' dicunt Jurator' pred' super sacrament' sui' pred' quod predict' Cornel' als Connor mGillecuddy seit' fuit in d'nico suo ut de fe'odo de et in predictat' sive dimid' vill' et terr' de Shanbay continen' in toto duas carrucat' terr', Ann' valor' quinque solid'. Et quod predict' Cornel' sic de premiss' de tall' stat' seit' existen' postea per et in consideracon' quadragint' libr' inde per chart' suas, Dat' vicesimo nono die august', Anno d'ni 1620, fe'offavit Dermod mc Donogh de Castlebridge, gener', et hered' suos imperpet' sub condicio' Redempcon' super solucon' quadragint' libr', sterl, prout per eandem Chart' plenius apparet. Et vlterius dicunt Jurator' pred' super sacrament' suum pred' quod predict' Connor mc Gillecuddy seit' fuit in d'nico suo ut de fe'odo de et in vill' et terr' de Ardshillane continen' duas carrucat' terr' Ann' valor' quinque solid'. Et sic inde seit' existen' per chart' suam, Dat' vicesimo nono die May, Anno d'ni 1620, fe'offavit Phillipum o Kiervicke de Ardshillane prof', gener', hered' et Assignat' suos in perpet' post et in consideracon' vigent' libr' ster' sub condicon' Redempcon' super solucon' sum' vigent' libr' ster' prout per eandem chart' magis plene apparet. Et ulterius dicunt Jurator' pred' super sacrament' suum pred' quod predict' Cornel' seit' fuit in d'nico suo ut de fe'odo de et in terr' coiter vocat' Inis Bardagh cont' dimid' vn' Carrucat' terr' Ann' valor' xviij'. Et sic inde seit' tall' stat' seit' existen' post et in consideracon' vigent' et trium libr' ster', inde per chart' suam, dat' duodec' die April', Anno d'ni 1622, fe'offavit Teig o Digin de Traly in Com' predi' gener' sub condicon' Redempcon' super solucon' sum'

vigent' et trium librar', ster', prout per eandem Chart' magis plane apparet. Et ulterius dicunt Jurator' pred' super sacra'ent suum pred' quod prefat' Cornelius s'liter seit' fuit in d'nico suo ut de ffeodo de et in vill' et terr' de Ardlaghas et Baneclaonie cont' duas carrucat' terr' ann' valor' quinque solid'. Et sic inde de tal' stat' seit' existen' pro et in consideraco'e sum' quadragint' et duas libr' ster' inde per chart' suam, dat' vicesimo die September, 1622, ffeoffavit Wilm' Creagh de Limericke, mercat', hered' et Assignat' suos imperpet' sub condicon' Redempcon' super solucon' sum' quadragint' et duar' libr' ster' prout per eandem Chart' magis plane apparet. Et ulterius dicunt Jurator' pred' super sacrament' suum pred' quod prefat' Cornel' m'Gillacuddy seit' fuit in d'nico suo, ut de ffeodo, de et in dimid' un' Carruc' terr' in Carhowbegg cum valle et pastur' eidem prope adiacent' vocat Gortnegean ann' valor' xviij^{s}. Ac de et in dimid un' carrucat terr' in Ardes cum valle vocat Gortnessig ann' val' xviij^{s}. Et sic inde de tal' stat' seit' existen' per chart' suam, datam octavo die Novembr', Anno d'ni, 1628, inde pro et in consideracon' quadragint' libr' ster' ffeoffavit Dermott o Leyne de Kiloytran in Com' pred', gen', et hered' suos imperpet', sub condicon' redempcon' super solucon' quadragint' librar' ster', prout per eandem chartam magis plane apparet. Et preterea dicunt Jurator' pred' super sacrament' suum pred' quod prefat' Cornelius m^{c} Gillacuddy seit' fuit in d'nico suo, ut de ffeodo, de et in quart' parte un' carrucat' terr' in Sunnirieightragh ann' valor' duodecem Denar'. Et sic inde de tal' statu seit' existen' per chart' suam dat vicesimo quarto die August' Anno d'ni, 1628, pro et in consideracon' decem libr', inde ffeoffavit Daniel m^{c} Donogh Duffe de Sauiry pred', yeom', et eius hered' imperpet', sub condico'e Redempcon' super solucon' summe decem libr' ster', prout per eandem chart' magis plane liquet. Et ulterius dicunt Jurator' pred' super sacra'ent' suum pred' q'd prefat' Cornel m^{c} Gillacuddy seit' fuit in d'nico suo, ut de ffeodo, de et in vill' et terr' de Cahirdonellieragh cont' duas carrucat' terr' ann' valor' quinque solid'. Et sic inde seit' existen' eadem premiss' dimisit Donat als Donogh o Muroghowe de Cahirbrine in Comitat' pred', husbandman, pro et durante termino vigen' et un' Annor' incipien' apud fest' o'ium Sanct' in Anno, 1628, ad annual' reddit' quatuor libr', ster', solubil' d'co Cornelio hered' sive Assignat' suis per equales porcon' (videlicet) medietat' inde annuatim in vicesim' quint' diem Martii et alter' medietat' in vicesim' nonum diem Septembr' durante ter'i'o pred' cum diversis al reservac'o'ibus in eadem

dimision' specificat'; prout per Chart' inde fact', dat' primo die august' Anno d'ni, 1628, magis plane apparet. Et ulterius dicunt Jurator' pred' super sacra'ent' suum predict' quod prefat' Cornelius mac Gillacuddy seit' fuit in d'nico suo, ut de ffeodo, de et in duabus carrucat' terr' vocat' the two Carhunyhones ann' valor' quinque solid'. Et sic inde de tali statu seit' existen' pro et in consideraco'e quadragint' et octo libr', ster', per chart' suam, dat' sexto die Novembr' Anno d'ni, 1622, inde ffeoffavit Johem Nagle de Dingle Icoush, in Com' pred', mercat', et hered' suos sub condico'e Redempcon' super solucon' sum' quadragint' et octo libr' ster', prout per eandem chartam magis plane liquet. Et quod dict' Cornel' postea, per chart' suam dat' quinto die Januar' Anno d'ni, 1625, remisit, relaxavit, et confirmavit eadem premiss' ulti'e recitat' prefat' Johan' Nagle, hered' et Assignat' suis, imperpet', prout per eandem chart' magis plane liquet et apparet. Et ulterius dicunt Jurator' pred' super sacra'ent' suum pred' quod prefat' Connor m' Gillacuddy seit' fuit in d'nico suo ut de ffeodo de et in vill' et terr' de Cappaghmore et Cappaghtanevally continen' dimid' un' Carrucat' terr' ann' valor' xviij^{s}. Et sic inde de tal' statu seit' existen' per chart' suam, dat' decimo quinto die ffebruarij, Anno d'ni, 1624, pro et in Consideraco'e cuiusdam pecuniar' sum' inde ffeoffavit Richard oge Necarrow de Callanaferry in Comitat' pred', gener', hered et Assignat' suos, sub condicon' Redempcon' super solucon' sum' pred', prout per eandem Chartam plenius apparet. Et quod prefat' Rich'us oge Necarrow postea pro et in consideracon' vigent' et octo libr' ster' decimo die Octobr' Anno d'ni, 1631, dedit, concessit, et Assignavit tot' suum ius et Interesse in vel ad eadem premiss' ultim' recitat' cuidam Connor m' Dermod de Raboke in Comitat' predict', gener', hered' et Assignat' suis. Et ulterius dicunt Jurator' predict' super sacra'ent' suum predict' quod predict' Cornelius seit' fuit in d'nico suo ut de ffeodo de et in Gortdrilligg contin' quart' part' un' carrucat' terr' ann' valor' novem Denar'. Et sic inde de tal' stat' seit' existen' inde ffeoffavit (tribus ann' elapsis) Rich'um oge Necarrew, hered' et Assignat' suos, pro et in consideracon' vigent' librar' ster', sub condico'e redempcon' super solucon' sum' vigent' librar' ster'. Et ulterius dicunt Jurator' predict', super sacrament' suum predict', quod prefat' Cornel', alias Connor mac Gillacuddy, seit' fuit in d'nico suo ut de ffeodo, de et in Ardmore et Ardnegihie continen' unam carrucat' terr' ann' valor' duor' solid' et sex denar', existen' un' de quatuor carrucat' terr' de Carhowloeford de Bodvesmine alias Castlecurrigg,

Monyflogh continen' un' carrucat' terr'. Derrylitterenose contin' un' carrucat' terr', et sext' part' unius carrucat' terr' in Cahirogearane ann' valor' quinque solid'. Ac de et in Annual' reddit' sexdecem solid' ster' exeun' ex Cahirdonillmore et Garraghe continen' duas carrucat', et duas tert' part' un' Carrucat' terr'. Ac de et in reddit' novem solid' annuat' exeun' ex Rathmore continen' un' Carrucat' terr'. Ac de et in reddit' novem solidor' ster' annuat' exeun' ex Rathieragh contin' unam Carrucat' terr'. Ac de et in reddit' undecem solidor' et trium denar', ster', annuat' exeun' ex Coad et Beaghan continen' un' carrucat' et quart' part unius Carrucat' terr'. Ac de et in reddit' novem solid' ster' annuat' exeun' ex Manles continen' un Carrucat' terr'. Ac de et in reddit' tresdecem solidor' ster' annuat' exeun' ex Derrinevurrigg et Lomenagh contin' un' Carrucat' et dimid' un' carrucat' terr'. Quae o'fa et singul' premiss' cum pertinen' prerecitat' iacent et existunt in Comitatu Kiery pred'. Et quod prefat' Cornel' m' Gillacuddy, sic de tal' statu de premiss' ultim' recitat' seit' existen' obijt sic inde seit' tertio die Novembr' Anno d'ni 1630. Et quod Donogh mac Gillacuddy est eius fil' et heres et fuit etat' decem Annor' et novem mensium tempore mortis patris sui pred', et non maritat', et quod preterque' illum prefat' Cornel' habet exit' Donald m' Connor, Connor oge mac Connor, Kath. lyne ny Connor, Ellane ny Connor, et Ellin ny Connor, modo vivent', et quod non sunt plene a'tatis nec maritat'. Et quod Shilee ny Gillacuddy alias Carty, relict' dict' Cornel', modo vivit. Et ulterius dicunt Jurator' pred' super sacrament' suum pre'dict' quod o'fa et singul' premiss' prerecitat' tempore seperal' Alienacon' predict' fact' respective et tempore mortis dict' Cornel' tenebantur et modo tenentur de quo vel de quibus Jurator' pred' ignorant. In cuius rei testimon' tam prefat' Commissionar' quam Jurator' pred' huic Inquisicon' sigill' sua alternatim apposuerunt die, anno, et loco primo suprascript'.

Copia vera
R. Wallis
Cleric' in offic' M'ri Rot'.

XIII.

Reference of the differences between the widow and children of the O Sullivane More to Arbitration.

[Dated 29 august 1633.]

Noverint univ'si p' p'ntes me Eugeniu', als Owen, o Sullivane More, de Dunkeran, Com' Kerry, armigeru', teneri et firmiter obligari Joane ny Sullivane als ny Morris, vidue Donaldi O Sullevane, als O Sullevane more, nup' defuncti, Giles ny Sullevane, Ellen ny Sullivane et Marie ny Sullivane, filiis eiusdem Donaldi O Sullivane more, in duobus millibus libraru' sterlingaru', bone et legalis monete Angl', soluend' eisdem Joane, Giles, Ellen et Marie, executorib' vel assignatis earu', ad earu' et cuiuslibet earu' voluntatem et beneplacitu'. Ad qua' quidem solu'o'em' bene et fideliter facienda' obligo me, heredes, executores, administratores et assignatos meos, firmiter p' p'ntes. In cuius rei testimoniu' huic p'senti scripto sigillu' et manu' mea' apposui. Data' vicesimo nono die Augusti, anno d'ni milesimo sexcentesimo trigesimo tertio, Annoq' regni Caroli regis nono.

Whereas certaine controversies, suites, debates, and quarrelles, did arise betweene thabove Owen o Sullivane more of Dunkeran, in the county of Kerry, esq, sonn and heire of Donell oSullivane more, late deceased, and Joane ny Sullivane als ny Morris, the relict of the said Donell o Sullevane More, and Giles ny Sullevane, Ellen ny Sullevane, and Marie ny Sullevane, the daughters of the said Donell O Sullivane more, for and concerneing the right, title, dower, Jointure, and demaundes of the said Joane ny Sullivane, to and into all the mannors, Castles, landes, tenementes, and other hereditam^ts with their appurtenaunces, w'ch did belonge, or were in the possession of, the said Donell o Sullevane More, and the same did enioy as his p'p' inheritance, whereof the said Owen o Sullivane More is right heire, as sonn and heire unto the said Donell o Sullivan More. And alsoe for and concerneing the portions due unto the said Giles, Ellen, and Marie, daughters unto the said Donell O Sullivane More, w'ch portions were ordained to be payed unto the said daughters by the last will and testam^t of the said Donell o Sullevane More: vizt:—Three hundred poundes, ster', to Giles, one hundred and seaventie poundes, ster', to

Ellen, and one hundred and thirtie poundes, ster', to Marie. And whereas to avoide all strifles, and contentions, w'ch might arise betwixt the said Owen o Sullivane More, and Joane ny Sullivane, and the daughters of the said Donell O Sullivane More, for and concerneing the afforesaid differences, the said Owen o Sullivane and Joane ny Sullivane and the said Giles, Ellen, and Marie, daughters of the said Donell, have w'th their mutuall assents and consents, submitted themselves to the order, award, doome, and iudgm't, of Jeames Knowde esq, Daniell fearys esq, Edmond Hussy gent, Daniell oSullivane gent and Dermott oLeyne gent, all now dwelling in the County of Kerry, arbitrators indifferently chosen by the said owen, Joane, Giles, Ellen, and Marie, for to decide, doome, arbitrate and finish all the afforesaid differences. The condition therefore of th'above obligation is such, that if' th'above bounden Owen ô Sullivane more will of his p'te abide, p'forme and p'implish the award, doome, and iudgment of the said arbitrators, soe that they publish their award w^th^in two monethes after the date of these p'nts, that then this obligation shalbe voide, otherwise to stand in full force and effect.

Owen o Sullevane more.

Signed sealed and delivered in
p'sence of us
Daniell oSullevane
Mor: More
Owen oSullevane fz D
Edmond m^c^ Swynny
Carr Sughrue
Morish m^c^Daniell Brenane

Ex' p' Ja: Knowde

The Submission. Copia Vera.

This Indenture made the neine and twentieth day of August, Anno D'ni, 1633, and in the yeare of our Soveraigne Lord Charles the neinth, Between Owen o Sullivane More of Dunkeran in the county of Kerry, Es^t^, sonn and heire of Donell O Sullivane More late deceased of the first part, and Joane ny Sullivane als Morris the relict of the said Donell OSullevane More, of the second p'te, and Giles ny Sullevane, Ellen ny Sullivane, and Mary ny Sullivane, daughters of the said Donell o Sullivane More, of the third p'te That whereas certaine debates, quarrelles, and contentions did of late arise betweene the said p'ties,

for and concerning the Jointure, dower, and other demaunds of the said Joan ny Sullevane als Morris, for and concerneinge the Castles, mannors, lands, tenements and other herriditam^ts, w^ch were in the possession of Donell o Sullivane More, and whereof he was seised in his lifetyme as of his lawfull inheritance, and alsoe for and concerneing the p^nt maintenance of the said Giles, Ellen, and Mary, untill the portion, bequeathed to them by their father, be paied unto them. And alsoe for and concerneing the said portion or p^ferment soe bequeathed unto them. This Indenture witnesseth that the said Owen, Joane, Giles, Ellen and Mary, to avoyde all unnaturall strife, suite, or contention w^ch heretofore did arise or hereafter might arise betweene them, have respectivelie, with their mutuall assent and consent, referred and submitted themselves and doe by these p^ntes reffer and submitt themselves to the order, award, doome and judgm^t of Jeames Knowde, Esq^r, Donell fearys esq^r, Edmond Hussy gent^r, Donell O Sullevane gent^r, and Dermott Leyne gent^r, all dwelling in the said County of Kierry, and doe by these p^nts give full power and authoritie to the said arbitrators, all the aforesaid differences, suites and demaunds whatsoever to compound, award, doome, and finish in such manner and forme as to them shalbe thought fittinge and meete. Provided alwayes that the said arbitrators shall publish the said award soe to be made, written under their handes and signed w^th their seales, at or before two monethes next ensueing the date of theise p^nts. In w^nesse whereof the said p^ties have interchangeably sett heerunto their hands and seales the day and yeare above written.

Owen ô Sullevanemore.

Signed, sealed, and delivered in ye p^sence of us
Mor: Moore
Donell OSullevane
Owen oSullivane fz der
Edmond m'Swyuny
Charr. Sughrue

d
ex'c'
Ja: Knowde

XIV.

The Award of the Arbitrators between the Widow and children of the O'Sullivane More.

[Dated in 1633.]

[Endorsed] The adward past betweene Owen o Sulivane alias o Sulivan More & his Mother, dated anō Regis Caroli 9°.

[One or two lines at the commencement of this document have been effaced.]

. . . . . Inheritance uppon any forme, p'tence, or p'text whatsovever, concerninge dower, thirds, or joynter. And the said p'misses to be and remaine unto her, duringe her naturall lyfe, freely and absolutely discharged of all Incumbrances, Intanglem^ts, Mortegages, debts, and demaunds whatsoever, other then the King's Composition, and homages p'portionably answerable out of the said lands, w'ch wee leave hir charged w'th. And hir said soun Owine o Sullivan More to free the same from all other charge and demaunds that shall or may aryse, or concerninge the same. AND as for the moveable goods of the said Doniell ô Sullivane More deceased, wee doe order and adward—That the said three daughters shall have, possesse, & inioye, soe many of theire deceased father's cowes as were graunted in his lyfe tyme, or Bequeathed to them, or any of them, by his last will and testament. And the reste of his said cowes to be and remaine unto his said heire, towards the payement of his debts. And for his ploughgarrans, horses, mares, & sheepe, wee doe order the same unto the said widdowe and relict. And for the Aquavite pott and all the pewter, wee likewise order that unto the said heire. And for all the Corne and the reste of the houshoulde stuffe wee doe order the same to be, and remayne, as the same is, and hath bin, by all and each p'ties, had and inioyed scithence the death of the said Doniell. AND WEE doe allsoe further order and adward that the said Owine o Sullivane More shall sattisfie, content, and paye, the some of Three Hundred pounds, ster', Currant English mony, as a portion, unto his said sister Seely, alias Gyles, Sullivane;—The some of one hundred and seaventye pounds, like currant mony, unto his sister Ellen, as hir portion;—And one hundred and Thirtye pounds, like currant mony, to his said sister Mary Suillivane, as hir portion,—On or about the tyme of theire severall marriages respectively, either

in readye mony, cattle, or morteggages of valluable lands or rents for the same. And, in the meane tyme, untill theire said portions shalbe pay'd, shall paye unto them use, intereste, & Consideration in manner followinge, vidz:—Twentye pounds, ster', yearly the first towe yeares beginninge att michaellmas next ensueinge the date hereof, by equall portions or moieties att the feasts of Easter and michaelmas, payeable in this manner, vidz:—Tenn pounds thereof yearly to his sister Sesly, and the other tenn pounds as afforesaid to the other towe sisters to be devyded p' rata, accordinge to their portions. And from thenceforth the some of Threescore pounds ster', yearly, att the gales afforesaid, and to be shared, and devyded, accordinge to theire p'portionable p'ts as afforesaid respectively. AND FURTHER we doe order that the said Owine O Sullivane More shall forthw'th, by a good and sufficient deed of convayance, assuer, and ingage the Cheiferents unto him due and yearly payeable out of the s'd lands of the freehoulders in the Barrony of Dunkerrine, in the said countye, unto his said sisters, for the payem' of the above specified yearly consideration, Anuitie, and use, of theire said portions and maintaynance, accordinge to th'advice of theire Councell learned in the Law, att the only p'p' costs and charges of the said three sisters respectively, the same to be and remayne unto them duringe the naturall lyfe of theire said mother. AND WEE doe likewise order that the said Owine o Sullivane More and his mother (the said widdowe & relict) shall Joyne in a deed of Mortegage to be made of the Towne and Lands of Collenagwite conteininge towe ploughlands,—of Cludagh and Ardkenturke, beinge other towe ploughlands more, to th'above named James Knowde, and Daniell m' Dermoud ô Sullivane, towe of us the said Arbitrators, and to theire heires, to the use of the said Joane Sullivane (the widdowe) for her naturall lyfe, as ffeofees in truste, and the remainder to the use of the said three daughters abovenamed, untill the said somes of Six hundred pounds shalbe fully sattisfyed, and payed, unto them respectively as abovesaid. And the same to be p'formed att any tyme, uppon reasonable demaunde to be made by the said ffeoffees or any one of them. AND we doe further order and decree that the said three sisters, nor any, nor either of them, shall Espouse themselves, nor be married w'thout the Consent & good likeing of us the Arbitrat'rs or some fower, three, or towe of us (yf soe many of us shall survive at such theire tymes of espousall or Marriage—Or yf not, then to have the consent of towe of th' nearest kindred by the mother's syde, of

the house & linage of Lixnawe. AND LASTLYE wee order and doe hereby reserve unto o'selves—That yf, att any tyme hereafter, any scruple, Ambiguitie, or double, shall happen to be in any . . . . oynt, Artickle, or Clause in this our order that maye or shall rest difficult or obscuer through misse-construction or misse-understanding. That then wee reserve the sole construction and Interp'tation of o' owne meaneings to o' selves, or to any fower, three, or towe of us yf soe many of us shallbe then liveinge. And in wittnes that this is o' finall and definitive order and adward Wee have hereunto fixt o' seales, subscribed o' hands, and publish' the same the daye and yeare first above written.

Ja : Knowde (loc sig). Daniell Fearys (loc. sig.)
Daniell o Sulliwaine (loc sig) Der. Leyne (loc. sig.)
Edm. Hussey (loc sig).

XV.

Deed of Mortgage of the lands of Killoh, &c.

[Dated 7 November 1634

[Endorsed] A Counterpart of the Mortgage of Killoh & Gurtine.

To all Xpian people to' whome theas presents shall com : Owen o Swillywane, of Pallym'gullynivlane, in the County of Kerie, gent', sendeth greeting in our lord god everlasting. Know yee that I, the said Owen o Swyllywane, for and in Considerac'on of the som' of thirty pounds, ster', current mony in England, be me receaved and had before th'ensealing hereof, and by the hands of Cormocke m' Donnogh Carty, whereof I the said Owen o Swyllywane doe acknowledge and Confesse my selfe well and trully payed, have geaven, granted, bargained and sould, enfeoffed and confirmed, and by theas my deede of feoffment indented I doe give, grant, bargaine and sell, enfeoff, and Confirme unto the said Cormocke m' Donnogh Carty, his heirs and assignes, All and singuler the lands, tenements, and hereditaments, called and knowen by the name of Killoh, Contained (sic) towe plowlands, lying and being in the County of Kerry, and in the Barony of Iverhagh, and nowe in the possession of the said Owen o Swyllywane, w'th all and singuller the Messuages, edifices,

medowes, moores, mountaines, watters, watterecourses, woods, under woods, mills, seats, Com'ons, Rents, services, and all other hereditaments and Appurtenances therinto belonging, and appertaining, or that w'ch was, at any tyme heretofore, Lawfully reputed, accepted, taken, or knowen as p'te, p'cell, or Member thereof, and alsoe the reversion and reversions of all and singuller the premisses, to have and to hould all and singuler the said lands, tenements, and hereditaments, of one plowland of Killoh and gurtine aforesaid, and all other the premisses before expressed, w'th the appurtenances, unto the said Cormocke m' Donnogh Carty his heirs and Assigns, to the onely proper use, and behowfe, of the said Cormocke, his heirs and assignes, for ever, to hould of the Cheeff lord of the fee, by the rents and services of Right due, and accustomed, uppon Condic'on and in Maner and forme following;—videlicett: that whensoever I, the said Owen o Swyllywane, my heirs and assignes, shall and doe, well and truly, Tender, and pay, unto the said Cormocke m' Donnogh Carty, his heirs or assignes, at the Castle of Karrigninuck in the County of Corck, in whole and intire paym', the full and iust sum' thirtie pounds, ster'. currant mony in England, in Cleane Silver, whereof every five shillings shall wey and containe one iust and Lawfull ounce of troy weight, that then, and not before, it shall and may be Lawfull to and for me, the said Owen o Swyllywane, my heirs and assignes, into all and singuller the premisses to re-enter, and the same with the appurtenances to have, hould, Inioy, and possesse, as in my former estate, any thinge in this deede, nor delivery and seasen thereuppon made, to the contrary notwithstanding. And I, the said Owen o Swyllywane, my heirs and assignes, all and singuler the said lands, tenements, and hereditaments of one plowcland of Killoh and gurtine aforesaid, w'th the appurtenances and all other the premisses, unto the said Cormocke m' Donnoghe Carty, his heirs and assignes, during the said Mortagh, shall warrant and defend against all maner of persons whatsoever; and that he the said Cormocke m' Donnogh, his heirs and assignes, shall and may at all tymes hereafter, from tyme to tyme during the said Mortgadge, peaceably and quietly have, hould, Inioy, and possesse, all and singuller the granted premisses, and every parte, and parcell thereof, and from all maner of former Bargaines, titles, troubles, Chardges, suits, dowers, Jointers, alienac'ons and Incumbrances whatsoever, and w'outc the Lett, trouble, eiecc'on, disturbances, impediment, Challenge, Claime, or demaunds, of him the said Owen o Swyllywane, his

heirs and assignes, or of any other person, or persons whatsoever. And further know yee that I, the said Owen o Swyllywane, for my and in me name appointe, constitute, and depute, my welbeloved Donnogh o Iichlene, of Killoh, aforesaid, my true and Lawfull Attorney to inter into the premisses, or to any p'te thereof in the name of the whole, and there unto take poss'ion and seasen, and after soe doing, to give full, actuall, and quiett possession and seasen, unto the said Cormocke m' Donnogh Carty, To enure to him his heires and assignes, according the effect and true meaning of this deede, ratificing and confirmeing whatsoever my said Attorney shall doe touching the premisses, as if it were actually Don by myselfe in p'son. In wittnesse whereof the saide p'ties have interChangebly put our hands and seales the seaventh of November, 1634.

Cor: m' Carty
(seal)

signed sealed & delivered in the presence of us whose names ensue

Callaghane Carthy
Teige o Dingne
Donnogh m' Carty
Danell + m' Owen Callaghane
his marcke
Christi: Archbald.

XVI.

Order for a decree of the court of Chancery against m' Carty for the marriage portion of his daughter wife of m' Gillycuddy deceased.

[Dated 30 April 1635.]

David Crosby pl't' / Daniell oge meale Carty, Shyly ny Daniell & others. Def'

Upon hearing of the cause in difference, It is ordered by the Court that a decree shalbe drawen up for the pl't', in manner followeing, vizt: that the Defendant, Daniell oge Carty, shall sattissfie & pay unto the pl't', the sum of two hundred pounds, ster', being the porcion w'ch the s'd Daniell p'mised unto Connor m'Gullycuddy upon his intermarriage w'th Shyly ny Daniell his daughter, together w'th the interest thereof after the rate of Ten p'centum, from the

22nd of June 1631, beinge the tyme when the pl'tf' petitioned to the right honourable the Lord Chancellor for the sayd two hundred pounds, all w'ch monies is to be Imployed to the use of the five children of the sayed Connor m'Gullycuddy by a former venter, to whome the pl'tf' is uncle, and Tutor, & Administrac'on graunted unto him duringe their minority. And whereas the sayed Connor m'Gullycuddy hath a daughter by his second wife Shyly ny Daniell, shee is to have payed unto her two hundred pounds, ster', in such manner and forme & at such tyme as is limitted unto her, by a feoffm't of her father bearinge date the twelveth of October 1629: And as for Shyly ny Daniell, forasmuch as shee consented, uppon an Arbitram't made, to take in liewe of her Joynture & thirds two hundred in calfe Cowes, of w'ch shee hath received, as playnely appeared, one hundred fifty eight, w'ch were delivered unto her by the pl'tf', and that he was alwayes readdy to give unto her the remaine, being forty two Cowes. Therefore it is ordered & decreed that shee shall have the sayed forty two Cowes in arreare; w'ch being sattisfied & payed, shee is to be debarred from anie pretended Joynture & thirds, & to the intent aforesayed the decree to be drawen upp against Daniell oge Carty afores'd, for the pl'tf' w'th his Costs.

Copia Vera
Ja. Grace.

XVII.

The judgment of "Wentworth" (Lord Strafford) upon the petition of the Widow O Sullivan and her daughters against her son the O Sullivane More.

[Dated 12 Sept 1635.]

[Original]

The humble petic'on of Sheely, alias Giles, Sullyvan, Ellen Sullyvan, and Mary Sullyvan

To the right honourable the Lord deputie & generall of Ireland

Most humbly Shewing, that where your petic'oners, in Aprill last, presented the petic'on, hereunto annexed, unto your Lo'p [Lord-ship] for your petic'oners' relicfe, whereupon your Lo'p commaunded Owen

1657215

Sullivan the defendant to make your petic'oners satisfaction, or to appear and shewe cause unto the contrary :—

Knowe it, right honourable, that the said Owen, haveing intelligence of your petic'oners' proceedinge, he shuned the whole Country, and as it is reported, is gon for England: in soe much that your petic'oners could by no meanes serve his p'son [person] with the said Commaund. By reason of w^ch, if your Lo'p a'ford not your petic'oners speedy reliefe, they are utterly undone; in regards they cannot receive their portione, nor any consideration for the forberance of the same, towards their maintenance, according the awarde in the petic'on hereunto annexed menc'oned—

> Your Lo'p may be therefore pleased . . . . . the examinac'on of your petic'oners complaint . . . . next goeing Judges of assize for the . . . . . Kerry, enabling them (in case your . . . . . demaunde be just) to prescribe such course, ... be for your petic'oners' p'nt reliefe. And your petic'oners shall ever pray &c.

Dublin Castle 19 Junii 1635.

Wee referr this matter unto the next goeing Judges of Assize for the County of Kerry, to be taken into Considerac'on; & to give such order therein as shalbe fitt & requisite.

WENTWORTH.

May it please your Lo'p. Apud Trally 3^o die Augusti 1635.

According yo^r Lo'p's reference, wee have ysued proces ag^t th'above named Owen ô Sullivane to app're before us, to answere th'above complaint, and the pl'nt's have indevoured to serve him therew^th. But it app'ed unto us, that the def^t is in England. Neverthcles wee thought fitt to enter into the examinac'on of the complaint, w^ch wee have accordinglie fully examined, and find aswell by the testimony of sufficient wittness as alsoe by the reading of the will, and award, in the petic'on menc'oned, y^t the petic'oners' demands are iust. And doe therefore thinke fitt, that the petic'oners should forthw'th receive thirtie pounds ster', towards their maintainance, due for three half [illegible]

of their porc'ons, ended att Easter last. And that to be forthw'th levyed by the Sheriffe of the Countie of Kerry, for the time being, of the defendants rents in the said Countie. And we likewise thinke fitt that the petic'oners should be paid ten pounds, ster', att michaelmas next, for the last halfe yeeare of the two yeares in the Award menc'oned. And wee doe further think fitting that then the petic'oners, or theire ffeoffees in the Award menc'oned, should be enfeoffed & established in the possession of threescore pounds per Annum out of the rents and revenues of the defend', to be enjoyed by them, or to their uses, and towards their maintenaunce, untill theire porc'ons be paid, according the tenour of the Award. All w^ch, in obedience of yo^r Lo'p's reference, wee certifie and leave to yo^r Lo'ps considerac'on.

Ed^d Harrys Hu: Cressy.

Dublin Castle 12. Sept. 1635.

Uppon perusal & considerac'on had of the above Certificat from the Judges of Assize, wee thinke it fitt both to ratifie and confirme the course prescribed by them for the petic'oners' satisfaccon. And, therefore, the Sheriff of the County of Kerry, for the tyme being, is required to leavy aswell the Thirty pounds already due, as alsoe the Tenn pounds due att Mich'as next. And from that tyme foorth, the petic'oners are to be established in the possession of Threescore pounds, ster', p' Annu', of the rents and profitts of the Def^ts lands, towards their maintenance, untill their porc'ons be paid, according to the tenour & purporte of the Adward in the Certificat mentioned.

Wentworth.

XVIII.

Funeral entry of the death of Connor M'Gillicuddy.

[Dated 9. February 1636.

Connor M'Gillecudi, of Castle Currick, in the County of Kerry, gent', did marie Joan, daughter of the right reverend father in God, John crosby, sometime Lord Bishop^e of Ardfert, by whom he had issue three sonnes and two daughters, vizt: Donogh M'Gillecudi, Daniel M'Gillecudie, Connor M'Gillecudi, Kathleen m'Gillecudi, and Ellen M'Gillecudi. The said Connor m'Gillecudi did marie to his second wife Shely, daughter of Dani[illegible]

in the County Kerry, gent', by whome he had issue one sonne, named Nell M'Gillecudi. The above said Connor m'Gillecudi departed this mortall life the (blank) day of October, by shippwracke, 1630. The truth of the premises is testified by the subscription of Charles Shughrue, of Ardfert in the County of Kerry, gent'. Taken by me Albon Leverett, Athlone officer of Armes, to be recorded in the office, the 9th day of February 1636.

[Funeral Entries Ulster Office, Dublin Record Tower, vol. 5, p. 40.]

* In a copy of this document preserved in the British Museum [additional MSS 4820, p. 164] Crosby is styled "Archbishop of Ardfert."

XIX.

Petition of O Sullivane More to the Lords Justices with their order thereupon.

[Dated, 6 July 1636.]

[Endorsed] The humble petic'on of Owen o Sullivane Moore Esq Vera Copia. Intr'. 54.

The humble petic'on of Owen o Sullivane Moore

To the right ho^ble^ the Lords Justices

In most humble manner complaineing, sheweth unto yo'r Lo'ps that, about ye 22th of May last, a greate companie of idle, loose and beggerly fellowes, haveing neither meanes nor dwellings, viz^t^: Donnogh m^c^ Dermod, Shaen Pickett, Thomas Browne, Morris o Brenane, and divers others, most lewde and vagabond fellowes, in a most outragious and forcible manner, by the setting on of one Shilie ny Sullivane Moore, came to yo'r Suppl't's lands of Dunloe in the Countie of Kerrie, W'ch Lands of Dunloe being sett by yo'r Suppl't to undertenants, and from thence did carrie awaie a greate number of Mares, horses and Gerrans in manner of a stealth, w'thout any warrant to that purpose, and the same ever since have deteyned and divers other inormities have comitted.

Yo'r Suppl't humblie praieth, That yo'r Lo'ps may be pleased to comand ye said p'ties forthw'th to restore the said distresses, and appeare before yo'r Lo'ps to receive condigne punishment for their manifold exorbitant misdemenors, then and there comitted. And that yo'r Lo'ps willbe pleased to bind them upon good bonds to appeare and answer their offences, from tyme to

tyme, and especially to such matters as yo'r Suppl't will object against them, And hee shall pray &c.

S^t Mary Abbey 6 Julij 1636.

Wee referr this matter unto ye next goeing Judges of Assize for the Countie of Kerrie to be taken into consideracon, and to give such order therein as to Justice apperteyncth.

Signed AD: LOFTUS, Canc. CHR. WANDESFORD.

Vera Copia.

XX.

Bond touching the Conveyance of the lands of Bolysillagh from Daniel M'Carthy to Charles Sughrue.

[Dated 2. May 1639.]

[Original]

[Endorsed] Daniell m^c Carthy ye elder & Daniell m^c Carthy ye yonger—their bound to maintain ye lands of Bolysillagh.

NOVERINT universi per p'ntes nos Danielem m^c Carthie de Dunguile seniorem, et Danielem m^c Carthy de eadem iuniorem, filiu' et heredem predict' Danielis senioris, in Comitat' Kerrie, generosos, teneri et firmiter obligari Carolo Sughrue de Knockane in Comitat' predict', gener', in centu' et sexagenta libris bonæ et legalis monet' de et in Anglia, solvend' eid' Carolo, heredibus, Executoribus, vel assignat' suis, ad eius vel ipsoru' beneplacitu' ad quam quidem soluconem bene et fideliter faciendam obligamus nos et utrumque n'r'u', heredes, executores et administratores n'ros conjunctim et divisim, firmiter per p'ntes, in cuius rei testimoniu' manus n'ras subscripsimus et sigella n'ra apposuimus. Dat' 2^o die mai 1639.

Whereas th'above bounden Daniel m^c Carthy, the elder, hath, on the day of the date hereof, Conveyed & passed over his whole interest, mortgage, lease & Estate, in the plowland of Buoly Silagh, in the said Countie, w'th the appurtenaunces unto th'above named Charles Sughrue and delivered unto him all such writeings as he had touching or concerning his enterest in and to the same. And whereas the said Charles feareth that he, his executors or assignes may not quietly enjoye the [illegible] Now the

condic'on of th'above obligac'on is, that in case the p'mises be at any time hereafter evicted or recovered from the s'd Charles, his heires, executors, adm'r or assignes, w'thout paim' of *threescore* pounds, ster', to him or them first made, nowe received by the s'd Daniell m' Carthy ye elder before ye p'forming hereof. If then the said Daniell m' Carthy the elder & Daniell m'Carthy the younger above bounden, theire or either of their, heires, executors, or administrators, shall well & truely satisfie & pay unto the s'd Charles Sughrue, his executors or assignes, the said some of threescore pounds, ster', together w'th what damadge he shall in the interim sustein by reason of this his p'nt Disburs'm', then ye said obligac'on to be void, otherwise the same to stand and remaine in full force efficacie & vertue in lawe, &c.

Daniell oge D Carthy (seal)
his marke

Daniell m'Carthy (seal)

Being p'nt at the'nsealing & Deliverie hereof & when ye words "threescore" was interlined between the 11th & 12th lines.

John Carthy
Do: m'Gillycuddy
Teige + m'Donnogh
his marcke

XXI.

A Deed of Mortgage conveying the lands of Cullinagh, Killow &c, from the O Sullivans to Donogh M'Gillycuddy.

[Dated, 1642.]

[Endorsed] Copie of Mortgage of Cullenagh & other lands.

To all X'pian people to whome this p'nt deede of mortgadge shall come, Joan fitzmorish, als Sullevane, the relict of Donnell o Sullevane more Esq', late deceased, Owen o Sullevane more Esq', Owen m'Owen o Sullevane of Ballym'gillynavla, & Donnell o Sullevane of Culemagort, in the County of Kerry, gent', send greeting in our Lord God everlasting; know ye that wee the said

Joan, Owen o Sullevane Esq^r, Owen m^c Owen o Sullevane, & Donnell o Sullevane, for sundry good & valuable consideracons & causes us thereunto moveing, & especially for, & in consideracon, of the iust & full sum^e of one hundred pownds, ster^l, good & lawful current money of & in England, by us in hand receaved before the p'fecting hereof, & by the hands of Donogh m^c Gillycuddy, of Caruebegg, in the s'd County, gent^l, whereof & wherew^th, wee, the s'd Joan, Owen o Sullevane more Esq^r, Owen m^c Owen o Sullevane, & Donnell o Sullevane, doe hereby acquitt, discharge, & exempte, the s'd Donogh, his heires, executors, administrators, & assignes, for ever;—Have given, graunted, mortgadged, bargained, sould & confirmed, like as by these p'nts wee give, graunt, mortgadge, bargaine, s'll & confirme unto the s'd Donogh his heires, Executors, administrators & Assignes for ever, All that & those the towne & lands of the plowland of Cullynagh, placed & situated in Cuockane p'ish & Dunkerane Baronie, the town & lands of Sronashyrry, containing one plowland, being more or lesse, placed & being in Killorglyn p'ish, & Baronie afores'd, and a plowland of the two plowlands of Killow, placed, Leying & situated, in Cahir p'ish, and Iveragh Baronie, all w^th in the s'd County, To have & to hould, unto the s'd Donogh, his heires, Executors, administrators & assignes, for ever, the s'd three plowlands, with all & singular the houses, edifices, buildings, Cabens, arable land, fields, feedings, Comons, pastures, woods, underwoods, groves, fences, parkes, encloysures, fishinges, fisheing places, meadowes, gardens, heaths, tofts, feedings, glyns, comons, pastures, & all & singular the p'fitts, appendances, & appurtenances, thereunto belonging, or anie wise appertaineing, & the rents, duties, reversion, & reversions, remainder & remainders, of the same & of everie p't & p'cell thereof, To be houlden of the cheefe Lord & Lords of the fee & fees, by the services thereout due & of right accustomed. And wee the s'd Joan, Owen ô Sullevane more Esq^r, Owen m^c Owen o Sullevane, & Donnell ô Sullevane, doe hereby for us, our heires, Executors, administrators, & assignes, covenant, bargaine, & agree, to and with the s'd Donogh m^c Gillycuddy, his heires, Executors, administrators, & assignes, all & singular the p'mises, w^th their appurtenances, for ever, ag^t all manner of p'son & p'sons whatsoever, to warrant, cleare, & defend, freely discharged, & exoncrated of all former, & future, bargaines, sales, Joyntures, dowers, thirds, estates, feoffm^ts, gifts, grants, mor'gadges, wardshipps, liveri . intrusion, fine for alienacon, arrcares,

Judgm^ts, executions, fines, fortittures, escripts, & all other encumbrances whatsoever.—Provided allwayes, & it is agreed uppon, that whensoever wee the s'd Joan, Owen ô Sullivane more Esq^r, Owen m^c Owen ô Sullivane, & Donnell ô Sullevane, our heires, executors, administrators, or assignes, or anie of us, his heires, executors, administrators or assignes, shall at one whole & intire paym^t, satisfie, content, or pay, or cause to be satisfied, contented, or payed unto the s'd Donogh m^c Gyllycuddy, his heires, executors, administrators or assignes in anie place w^thin the said County, the just and full sume of one hundred pounds, ster', good & lawfull current money of & in England, that then it shall & may be lawfull, for us, the s'd Joan, Owen ô Sullevane more Esq, owen m^c Owen o Sullevane & Donnell ô Sullevane, unto the said p'misses to reinter, & the same to repossesse, & reinioy, as in our former right, anie thing herein contained, or the liverie or seizen hereuppon executed, to the contrarie notwithstanding. Lastly know ye that wee the s'd Joan, Owen ô Sullevane more Esq^r Owen m^c Owen ô Sullevane, & Donnell ô Sullevane, doe hereby nominate, depute, & authorise, our well beloved John m^c Teig oge Cuddy, of Culeanagh in the said County, gent', our true and lawfull Attourney, in the p'misses to inter & take possession, & after such possession soe therein taken, or in anie p't, or p'cell thereof in name of the whole, thereof to deliver actuall possession, liverie & seizen, unto the said Donogh m^c Gyllycuddy, to inure unto him, the s'd Donogh m^c Gyllycuddy, his heires, executors, administrators and assignes, for ever; according the true meaning, purport & construction of this p'nt deed, hereby ratifieing, confirmeing, & allowing, all & singular our s'd Attourney shall therein doe accordingly. In witnesse whereof wee the s'd Joan, owen ô Sullevane more Esq, Owen m^c Owen ô Sullevane & Donnell ô Sullevane have hereunto subscribed our hands & fixed our seales the [blank] day of [blank] A^o D'ni a thousand six hundred fortie & two, & in the [blank] yeare of the Raigne of our Soveraigne Lord Charles that now is, of England, Scotland, ffrance & Ireland King, defender of the faith, &c.

Signed sealed & delivered to the s'd Attourney in p'sence of us whose names doe ensue.

XXII.

Petition of Donogh M'Gillycuddy to Viscount Muskery, Lord President of Munster, touching his wife's fortune, with his lordship's order for the levy of the same off the lands of the O Sullivane More.

[Dated 15 December 1642]

[Original]

[Endorsed] An order for £13 yearly of O Sulivane's Cheefe rent.—granted y^e^ request—

The humble pet'n of Donnogh m^c^ Gylliecuddy Esq^r^

To the right hon'able y^e^ lord Viscount Muskree, lo: president of Monster, and Governo^r^ of y^e^ Countie of Kiery—

Shewing that y^r^ pet^r's^ wife, Marie Sulyvane, by vertue of an order from the late lo: l': of Ire^l^and, was possessed of the yearly Cheife rent due to Owen o Sulyvane more Esq^r^, within the Baronies of Dunkierin and Iveralagh, of the sum'e of thirteene poands, ster', beinge y^e^ interest due for 130^li^, p'te of her portion, by force of w^rh^order bearinge date 12^th^ 7^ber^ 1631^o^, y^r^ pet^r's^ said wife was quiettly possessed thereof, and hath yearely received the same till the s'd O Sulyvane more, takeing advantage of these distracted tymes, did rescue the leavie of the last last Easter and Michaelmas rent, soe due, intending, as your petitioner feareth, to defeate y^r^ pet^r^ and his said wife of the s'd sum'e,—the p'misses considered, & for that by y^r^ pet^r's^ intermarriage with the said Mary, the s'd sum'e together, with the rent of her porc'on, iustly due to y^r^ pet^r^.

May it therefore please yo^r^ L'p, in performance of the s'd lord l't's order, to direct yo^r^ expresse auctheritie to the Sheeriffe of the Countie of Kiery, foorthw^th^ to leavie to the s'd two gales rent, as alsoe to continue y^r^ pet^r^ in the quiett possession of the s'd cheefe rent in future, till he be satisfied in the s'd sum'e of 130^li^; the rather that sum'e, soe due to yo^r^ pet^r^, is not subiect to decrease nor diminish. And he shall pray

Apud limericke, 15th Xmbris 1642

Uppon reading the w'thin mencioned order of the lord l't's, It is ordered, that the pet' shalbe foorthw'th established in the possession of the w'thin some of thirteen pounds, ster', Cheiferent belonginge to owen o Sullevane more Esq, and that he shall have & recover the same for the Easter and Michaelmas past, w'th some the Sheriffe of the Countie of Kerrie is hereby required to leavy from the severall freeholders, by whom the same was formerly paied, w'thin the Barronies of Doonkierane & Evenahigh, by force of the said lord l't's order, & from time to time hereafter, the Sheriffe of the said Countie, for the time beinge, is hereby required to continue the pet' in the quiett possession of the said rent, till hee be paied the some of a 130li, ster',

Muskry.

XXIII.

Order made by the Governor and Commissioners for the Army for the County of Kerry, on a reference from the Supreme Council of the Government established by the Confederate Catholics, declaring the distresses which had been levied by O Sullivane More upon M'Gillycuddy and his tenants to be illegal, and directing redress.

[Dated 26 January 1643]

[Endorsed] A Copie of the order agaynste ô Sullyvane for the Composission.

Traly, 26 January 1643.
Donnogh m'Gyllycuddy Esq' pl't'
Owen o Sulyvane More Esq', d'f't.

By the Governor and Com'rs for the Army for the Countye of Keiry.

In pursuance of an order of the Supreame Councell, bearing date at Waterfoord the 21st of December 1643, uppon the pl't's' petition, the def't' being sumoned appeared and made answer in writeing, & this day uppon readeing of the pl't's' petition, & order of reference, & the Def't's' answer, in presence of all p'ties, & the s'd parties haveing w'thdrawen themselves, considerac'on being had of the

substance of the answer, & of what M^r^ Daniell m^c^ Dermott ó Sulyvane affirmed of the state of the controversie, & the manner of the distresses taken & of the pretence for distraineing, it is voted & soe ordered by the s'd Governor & Commissioners that the distresses, soe taken by the Def't, of the pl't & his tennants, were illegally, contrary to the moddle of government, & without authoritie, distrained. And that the two cowes & Bull, as yett not restored, be forthw^th^ restored uppon demand, or the true value thereof, as it shalbe proved before Daniel o Sulyvane Esq^r^ & owen fferis gent, & that the Def't shall hereafter forbeere distraineing in that manner, or for the pretence sett forth in his answer, w'thout Judiciall authoritie, & that he forbeare menaceing, dampnifieing the pl't, or his tennants, in any wise contraire, or repugnant to the Government established by the confederat Catholiques of this Kingdome, under paine of incurringe the displeasure & penaltie that may ensue. And it is further ordered that the pl't shall recover against the Def't the sume of foure pounds, ster^l^, for his cost sustained in this suite, w'ch order is to be duely observed & putt in execu'con (in case of delinquencie) according unto the s'd order of the Supreame Councell.

Ricardus Ardf. a: A

Da: Crosby
Edm: fz Morice
Donnogh m^c^ Finyne
Godfrie ó Daly
Teige ó Donogh
Tho: fz Morice

Con: o Sullyvane
Edm: Hussey
Jo: Piery
John Fielde

Copia vera
fynie m^c^bryen

XXIV.

Deed of Mortgage of the lands of Goulnacappagroony, made by Dermod mᶜ Donogh Gillycuddy to Connor ô Diggin.

[Dated 15. October 1643]

[Parchment. Original]

[Endorsed] Deed of mortgage of Goulnakappykoony from Dermod mᶜ Donogh Gullicuddie of Gortnascarrie to Connor Diggin, ye 15th of 8br, 1643, for 12li.

To all true X'pian people to whome this p'nt deed of mortgadge shall come, Dermott mᶜ Donnogh Gylleuddy of Gortnaskarry, in the County of Kerry, gent', sends greeting in our Lord God everlasting. Know yee that I, ye s'd Dermott, for divers valuable considerations me therunto moveing, & especially for & in consideration of ye just & full sum'e of twelve pownds, ster', good & lawfull current money of & in England, by me in hand receaved, at & by the hands of Connor mᶜ Donnell Diggin, of florennagatt in ye s'd county, weaver, wherof & wherw'th I, the s'd Dermott, doe hereby acquitt, discharge, & exonerate, the s'd Connor, his heires, executors, administrators, & assignes, for ever:—Have given, granted, mortgadged, bargained, sould, & confirmed, like as by these p'nts I doe hereby give, grant, mortgadge, bargaine, sell, & confirme unto the s'd Connor o Diggin, his heires, executors, administrators, & assignes, for ever:—All that and those ye pasture, towne, & lands of Gollnacappykoony, by Com'on estimation containing three Cowes grassing, in Irish (Ꞇɹɯ bʊ pæɹ) bee it more or lesse, laying, placed & situate in Killorghlin p'ishe, w'thin the Baronie of Dunkerane & County afores'd:—To have & to hould, unto the s'd Connor, his heires, executors, administrators, & assignes for ev', all & singular the receited p'misses, w'th all & singular the houses, Cabens, edifices, buildinges, feed-inges, Com'ons, pastures, tillages, arable land, woods, underwoods, moores, heathes, bogges, Cragges, mountaines, fishinges, fishing places, waters, watercourses, meadowes, fennes, parkes, & all & singular the profitts, appendances, & app'tenances therunto belongeing, or aniewise appertaining, & the rents, duties, rev'sion & rev'sions, remainder & remainders,

of the same, & of ev'rie part & parcell of ye same, for ev'. To be houlden of the cheefe Lord and Lords of ye fee & fees, by the services therout due & of right accustomed. And I, the s'd Dermott, doe hereby, for me, my heires, executors, administrators & assignes, bargaine, covenant & agree the pr'misses, w'th their appr'tenances, dureing the continuance of this mortgadge, to warr't, cleare, & defend, unto the s'd Connor, his heires, executors, administrators, & assignes, of & from all former & future bargaines, sales, dowers, Joyntures, estates, feoffmen't, gifts, grants, mortgadges, thirds, liveries, wardshipps, homages, respitt of homage, intrusion, feine for alienac'on, Judgm't, feines, forfittures, Eschcats, Escripts, & all other incombrances, ag't all manner of p'son & p'sons whatsoev'. Provided alwayes & it is agreed uppon, that whensoev', in the moneth of July, in anie yeare whatsoev', & not otherwise, I, the s'd Dermott, my heires, executors, administrators or assignes, shall well & truely, w'thout fraud or coven, satisfie, content, & pay, or cause to be satisfied, contented, or payed in one whole & intire paym't, unto the said Connor o Diggin, his heires, executors, administrators, & assignes, in anie place w'thin the p'ish of Cuokane, the just & full sum'e of twelve pownds, ster', good & lawfull curr' money of & in England, of the weight, puritie, & value, of ye six pences & twelvepences now curr't in England, that then It shall & may be lawfull for me the s'd Dermott, my heires, executors, administrators, & assignes, into the pr'misses to reinter, & the same to enioy & repossesse as in my former right, anie thing herein contained or the liv'ie, possession or seisin, hereuppon executed to ye contrarie notw'thstanding. Lastly know you that I, the s'd Dermott, have & doe hereby nominate, constitute, depute, ordaine, & authorise my welbeloved John m' Donnell Diggin, of ffiorennagatt in the s'd county, weaver, my true and lawfull Attourney, to inter uppon the pr'misses, or uppon anie part or p'cell therof in name of the whole, & therein to take actuall possession, liv'ie & seisin, & after such possession soe therin taken and had, to deliv' actuall possession, liverie & seisin, thereof unto the s'd Connor, to inure unto hime the s'd Connor, his heires, executors, administrators & assignes, for ev', according the true meaning, intent, purport, construction & effect of this p'nt deed. Hereby ratificing, confirming & allowing, all & singular w'ch my said Attourney shall therein doe accordingly. In witnesse wherof, I, the s'd Dermott have hereunto subscribed my hand & fixed my s'ale the fifteenth day of October, Anno Dni, a thousand six hundred fortie & three, & in ye [blank]

yeare of the Raigne of our Sov'raigne Lord, King charles that now is, of England, Scotland, ffrance, & Ireland King, Defender of ye faith, &c.

Der: m^c^ Donnogh Gylliecuddie

[Seal gone]

Being p'nt as well when the w'thin named Dermott m^c^ Donnogh signed & sealed the w'thin deed, as alsoe delivered the same to the w'thin Attourney, according the intent of ye w'thin deed, wee whose names doe ensue.

Connor Cormocke.
finin oge dunie.
Dermod m^c^ Cnoughoreuddy.
Taige m^c^olen cuddie.

Being alsoe p'nt when the w'thin named Attourney intred uppon the lands w'thin specified, viz:—Gollnacappykoony, & therein tooke actuall possession, liv'ie, & seisin, & after such possession & seisin, soe therin taken therof in name of ye whole land of Gollnacappykoony, deliv'ed actuall possession, liv'ie & seisin unto the w'thin named Connor o Diggin, to inure unto hime the s'd Connor, his heires, executors, administrators, & assignes, according the true intent & effect of ye w'thin deed, wee whose names doe ensue.

Do: m^c^ Gillycuddy
Dermod m^c^ Theig
Der: m^c^ Teige
Morish m^c^ Shane
Owen m^c^ Shane his marke +.

XXV.

Order by the Supreme Council of the Confederate Catholics for the apprehension of the O Sullivane More.

[Dated 14. July 1646.]

[Original]

Bunratty 14° Julij 1646.

By the Supreame Councell &c

Whereas wee have written severall tymes formerly for Owen o Sullivane more, and that he, in manifest contempt and disobedience to our authoritie, hath failed to appeare before us, you are therefore hearby required forthw'th to apprehend the p'son of the said o Sullivane more and him to bring imediatly before us, to be further dealt w'th as shalbe thought fitt. And in case you may not find out the said o Sullivane more, you are to cesse w'th Capt^n^ Gerott fz Morice his Troope and foott companie, on the said o Sullivane's lands, and continue him soe cessed untill he p'sonally appears before us as aforesaid, and likewise restore unto Donnogh m^c^ Gillycuddy Esq^r^ the goods mene'oned in the petition, exhibitted by him before us, ag^st^ the said o Sullivane Moore. And the said horse and foott soe cessed are to have competent meate, drinke, and lodgings, together w'th halfe pay according to the establishm^t^ duringe the tyme they continue cessed on the said lands, and if there be any rescue or resistance you are alsoe to raise the power of the Countie to be aydais unto you in the exceeue'on of this our order.

To the high Sheriffe of the County of Kerry who uppon his utmost p'ill is to see this our order putt in speedy exceeue'on.

Muskry
Emerus Clogherens

R. Belling. Alex m^c^ don'ell
Patr: Darcy Con. O'Caghane

XXVI.

Report of the Referees appointed by the Supreme Council to examine the claim of the Knight of Kerry to receive Chief rent out of M^cGillycuddy's lands.

[Dated 12 august 1646]

[Original]

[Endorsed] Concerning the Cheefrent challenged by John fitz Gerald off m^c Gillycuddy.

In obedience to the right ho^ble the supreame Councell theire order of refferrence to us directed, bearcinge date at Limerick the 24^th of July 1646, requireinge and auethorizeinge us to take the petic'on of Donnogh m^c Gillecuddie Esq^r into Considerac'on, touchinge a Chiefe rent challenged by the Receiver Generall of the county of Kerry to be due out of parte of the said pet^r and his ffreeholders' estates unto the K^t of Kerry. By vertue of w^ch refferrence and auethority wee have examined Seaven very auncient wittnesses, whoe voluntaryly haveinge taken theire Corporall oaths uppon the Holy Evangelist depose and say, that they and every of them haveinge lived uppon parte of the said lands, whereout the said Cheefe rent is challenged to be due; that, dureinge the continuance of three Comocions or insurrec'ons, w'thin theire memory happeninge, the said cheife rent was never paied to the said K^t of Kerry, his auncestors nor any other derivcinge under him; and for theire cause of knowledge say that, w'thin theire memory, a prey beinge taken by some of the K^rs auncestors', allyes or servants', and carryed to Kilforglen Castle, one Daniell Garreltaigh, alias m^c Gillecuddy, pursued the same to the said Castle, where he forced restitue'on of the said prey of Cowes, except one w'ch was slaughtered, the flesh and hide of w'ch Cowe was alsoe then restored unto him. They further depose that, by relac'on of their auncestors, they were credibly tould that much blood was spilt, twixt the pet^rs auncestors and the said K^rs auncestors, uppon any attempt made to take away preyes for the same. And p'ticulerly they depose and say, by relac'on as aforesaid, that one C'noghor finine m^c Gillecuddy, beinge killed in reskeweinge a prey taken for the said cheife rent, m^c Gillecuddy, nicknamed Pleggerd, did prey and kill divers of the Barony of Cortoguiny for assistinge the said K^t when the said C'noghor finine m^c Gille-

cuddy was soe killed. And lastly they depose that the said cheife rent was never reduced to any pecuniary payment untill the beginninge of the last peace, at w'ch time the then K^t of Kerry, w'th his kinsmen and allyes, Comonly called Ilarroboge, came into parte of the pet^rs Estate, where Cesseinge, pilladgeinge, and preyeinge the reliques of the pet^rs Grandfather's freeholders and followers, by w'ch Compulsary course the said cheife rent was reduced to Certeinty, as it continued untill the beginninge of the present troubles. Soe as it clearely appeares unto us that the payment of the said Cheife rent in times of trouble, Comoco'n, & warrs ought, and is to surcease and abate, and, for the right, doe leave the same to better Judgm^t. All w'ch wee humbly Certify. Dat^d 12 Augustii, a^o 1646

Don: O Sullyvane
Jno: Welsh
Daniell m^c Carthye

XXVII.

Petition of M'Gillycuddy to Lord Lachapin, Lord President of Munster, against the O Sullivanes, with his Lordship's order of reference to the Governor and Commissioners of the Army of the County Kerry.

[Dated 12 December 1648.]

[Original]

[Endorsed] Donnogh m^c Gilleeudy Esq^re pl't'
Owen o Sulevane More Esq^r & others Def'ts.
Intr': 19^r Ja': 48.

To the Right ho^ble the Lord President of Monster,

The humble Petic'on of Donogh m^c Gillycuddy Esq

Humbly shewing unto y^r honor that y^r pettitioner, for the considerac'on of one hundred pounds, ster', had a deede of mortgadge duely p'fected, signed,

sealed & delivered, by Joan [otherwise Sheely] fz Morice als Sullyvane, the relict of Daniell o Sullyvane Moore Esq^r, Owen o Sullyvane Moore Esq^r, Daniell oge ô Sullyvane of Culenagortt. & Owen m'Owen ô Sullyvane of Ballym Gully-nyvlaune, gent^r, of the towne & lands of Stoneny-hirrie, containeing one ploughland more or lesse, placed & sytuated in Killforglin p'ish, & Dunckerane barronie, the ploughland of Cullynagh placed in Cnockeane p'ish & Barronie aforesaid, & one ploughland of the two ploughlands of Killohe sytuated in Cahir p'ish. & Ivrahigin Barronie, which deed of mortgadge, by reason of the distempers of the tymes, hath been miscarried, by means whereof y^r pettitioner hitherto no reaped noe p'fitt nor benefitt of the lands aforesaid, & is in danger for the future (if god calld away his wittnes) to loose his whole interest in the same, if s^me speedie coorse for his releefe be not sett doune. May it therefore please y^r Lo^p, to grant y^r orders of reference to anie two or more of the gent^r of the Connetie of Kierie, not interested in the same, or the Comissioners of the armie of the said Connetie, or anie two or moe of them, to require the above complayned off to appeere before them, & fyndeing the contents of the above pettition to be true, to order & require the said complayned off to p'fect a deede of morgadge, in as large & ample a maner as there former act, & the same to diliver unto y^r p'tt^r, & uppon these fayleing or neglect therein, to be cessed w^th a competent number of souldiers, or yo^r hono^r to Prescribe some other coorse for y^r pettitioner's speedie releefe as to y^r Lo^p shall be thought fitt, & he shall pray, &c

Castle Lyons 12 Decembris 1648

The Governo' and Com' of the County of Kiery or any three of them, are hereby required and authorised to call all p'ties within mene'oned before them, and to examine the proofes of both sides, and, findeing the petticoner's allegac'ons true, to prescribe such a Course, that ye petticoner may recover his iust demaunds, or good assurance for the same, imediatly. And in case of disobedience to compell the same by Cess or Otherwise.

Ischiquin.

XXVIII.

Examinations of witnesses taken before the Commissioners of the Army in Kerry touchi'g the matters in dispute between M·Gillycuddy and the O Sullevans.

[Dated 19 January 1648.]

[Original]

[Endorsed] Concerning the Mortgage of Cullinagh & the rest.

Produced by ye Pl'tf

Ardfert 19th January 1648.

Donogh m'Gillycuddy Esq' Pl'tf.

Joan fz Morice als Sulivan widdow, owen o Sulivanmoar Esq', owen m' owen o Sulivan & Daniel oge o Sulivan Def'ts.

Examinac'ons of witnesses taken before us, by vertue of ye Right Hono^ble ye Lord President's refference dated at Castle-Lyons 12^mo X^bris 1648.

Donel m^c Morish of Aunangary, in the County of Kiery, gent', aged about fortyfour yeares, being duely sworne & examined, sayeth, y^t ye 18th or 19th of March 1641, ye def'd'ts duely p'fected to ye pl'tf a deed in mortgadge of 100. one hundred pounds, ster', of ye lands in ye pl'tf's petic'on mentioned, vitz;—Culynagh, one plowland, Stronakirry, one plowland & one plowland of ye two plowlands of Killohe. His cause of knowledge is y^t he was p'sent at the p'fection of ye said deed. The said mortgadge was in consideac'on of one hundred pounds of the mariadge portion assigned by ye def'd'ts to ye pl'tf.

2nd depon^t. Teig m' Dermod of quode, in ye said County, gentle', aged 54 yeares, or thereabouts, being duely sworn &c. agreeth in every particular w'th ye said former deponent. His cause of knowledge is y^t he was alsoe p'sent.

3[d] depon[t]. flynin oge [illegible] doonah of Caherunahoon, in ye said County, gent', adged 33 yeares or therabouts, being duely sworn & examined &c, agreeth in every particular with the said former depon[t]. His cause of knowledge is y[t] he was alsoe p'sent.

4[th] depon[t]—Donel ô Lyne of Killoghan, in the said County, gent', adged 38 yeares or therabouts, being duely sworn & examined &c, agreeth in every particular with the said former deponents. His cause of knowledge is y[t] he was present & did help ye Clark that drewe ye said deed, by name Cnoghor o Cormick.

5[th] depon[t]. Dermod oge o Lyne of Dooguill in the said County, gent', adged 36 yeares or therabouts, being duely sworn & examined &c, agreeth in every particular with ye first, 2[d] & 3[d] depon[ts]. His cause of knowledge is y[t] he was present.

Every of ye said depon[ts] doe further say, y[t] by vertue of their oathes, y[t] upon p'fection of the said deed, the pl'tf did assume to repass, upon ye def'd't Joan, the said lands of Sronnakarry during her lyfe, & y[t] alsoe ye said 4[th] depon[t], Donel ô Lyne, did say unto ye def'd't owen m[c] owen o Sulivan, y[t] he did fear ye said lands of Killohe were formerly mortgadged unto Teig m[c] owen oge Moriarty. Whereupon ye said def'd't Owen took a [corporal] oath there was noe mortgadge or other incumbrance upon one of the two plowlands of Killohe past upon ye pl'tf by ye said deed

Da: Crosbie
Edw: Rice
Terr: oConnor.

XXIX.

Summons issued by the Governor and Commissioners for the Army for the County of Kerry against the O Sullivanes.

[Dated 27 February 164]

[Endorsed] a Copie of the Sumons against o Sullevan & others for Cullenagh & other lands.

Donnogh m'Gilleeuddy
Esq^re p'Tf
Owen o Sullevane More Esq^r
Daniell oge o Sullevane
Owen m'^r Owen Sullevane
Joane fitz Morrice alias
Sullevane
Def^ts

By the Governor & Com[missioners of the] County of Kerry

In pursueance of the right ho^ble the lord Presid^t, his order of refference, unto us directed, and for y^t the pl^f hath been severall times delayed, to the end the Def^ts may appeare, and offer theire reasons, or allegac'ons ag^t the Pl^fs demaunds, Wee have thought fitt, and doe require you, and everie of you, to appeare before us in Ardfert, on tuesday the 6^th of March next; wherein if you faile, wee doe declare, that then wee will proceede on the evidence already given unto us, by vertue of the said order of refference. Dat' 27^th febr', 1648.

Da: Crosbie
Edw: Rice
Edm: Hussey

XXX.

Report of the Commissioners to the Lord President of Munster touching the complaint of M Gilligoddy against the O Sullivanes.

[Dated in the year 164$\frac{8}{9}$]

[Original]

[Endorsed] Conserneing the Mortgage of Cullenagh & the rest.

Right honourable/ By vertue of your honno^{rs} Order, dated at Castle-Lyons 12^{o} Decembris 1648, on the behalfe of Donnogh m^{c} Gillicuddy Esq^{r} pl'tf, versus Owen ô Sulivan more Esq^{r}, Daniell oge ô Sulivan, owen m^{c} owen ô Sulivane, and Joane fz Morrice als Sulivan Def'ts, wee sent divers summons to the defend'ts, whereunto they neglected to appeare, and having sent one of the 27th of february last. in Lieu of apparaunce, wee received the enclosed l're from the said ô Sulivan More and Daniell oge ô Sulivan. Wherein they, questioning our, and in effect all authoritie, and therefore, for the pl'tf's satisfaccon, transmit the whole to your honnor, and doe certifie, that, by depositions taken before us 19^{o} January 1648. [i.e. 1648/9] it appeares that on 18th or 19th of March 1641, the deft's p'fected a deed of Mortgadge of a 100^{li}, to the pl'tf, of the lands in the pl'tf's petic'on menc'oned, viz't:—Culenagh, Sronnahiry, and one plowland of Killoh, being in considerac'on of part of the marriage por'con, assured to the pl'tf by the Deft's, as by the said depositions more particularly appeareth. For whom wee would graunt order, uppon the s'd depositions, had not the Def'ts contemned and questioned our power. All w'ch wee humbly submitt to yo^{r} Lo^{ps} graver Judgm^{t} and remaine

yo^{r} Lo'ps' Most Humble serv'ts

Edm: Hussy
Edw: Rice
Ter: OConnor

XXXI.

Certificate of the Under Sheriff of the County Kerry of his having put M^c^ Sily Sullevane into quiet possession of certain lands in Kerry, according to the warrant of the Lord Deputy.

[Dated 5 December 1651]

[There are two copies of this document]

A note of O'Sullyvan's Chifferies in the Barrony of Ivradigh.

Oghlaff, a p^d^, and a third p't of p'd', ...	xxvj^s^ viij^d^ ster'.
Dromod, 2 p'ds,—	2^li^ 6^s^ viij^d^, ster'.
Dromod, belongeing to donill m^c^ Bruig, a p^d^, . .	xxv^s^, ster'.
Durie, a p'd, ...	xxv^s^ ster'.
Mortagh m^c^ Owen, out of a p'd' of Cannig, . .	xix^s^ ster'.
Donill m^c^ Broige, out of the said Cannig, a p'd', .	xix^s^ ster'.
Roger m^c^ Mortagh, out of Cannioge, ...	xij^s^ viij^d^. ster'.
Donill m^c^ Donough, a p'd', ...	xxviij^s^ ster'.
The said Donill m^c^ Donough, of Droniniragh, a p'd', .	xxv^s^, ster'.
Donill m^c^ Owen, of Kilmakierin, a p'd, ...	xxij^s^ ster'.
More out of the said Kilmakierin, ...	xxij^s^ ster'.
Briaghig, a p'd, ...	xxv^s^ ster'.
Canch, 4 p'l'ds, ...	vj^li^ ster'.
Jefferie m^c^ Richard, out of Agort, a p'd', . . .	xx^s^, ster'.
Roger m^c^ Mortagh, ...	vj^s^ viij^d^, ster'.
KillenoGaha [torn]	
Clughanetaunig [torn]	
Killnobounie belongeinge to Owen m^c^ Donill m^c^ Phillipp,	xxx^s^, ster'.
The other Killnobounie	xxviij^s^ viij^d^ ster'.

Beinge p'nt at the time when possession was delivered unto M^c^ Sily

Sullyvane by George Berrie, under shirriffe of th'above Te's and rents belongeinge to O Sullyvane more, wee whose names ensue

Thomas Broune
Morish m^c^ Donough
John m^c^ Edmond his + marcke
Donill m^c^ Swiny his + marcke
Donough m^c^ Dermody his + marcke

Copia vera

I doe hearby certifie, that by vertue of the Right hono^ble^ the Lo: Deputie's warrant, I have delivered quiet and peaceable possession of the Te's and Chieferents of O Sullyvane more, unto M^r^ Syly Sulyvane, w^ch^in the Barronie of Dunkierane, and soe much I thought fitt to signifie under my hand. Datu' v die dec' 1651

George Barrie

Rosecousan, halfe a plowland	xx^s^ ster'
Gortecomagh, 2 plowlands	4^li^ ster'
Grienane, halfe a plowland	xx^s^ ster'
Cappanscosse, two plowlands	iiij^li^ ster'
Cappaghroo, two plowlands	iiij^li^ ster'
Lackeire, two plowlands	iiij^li^ ster'
Durrinefuile, halfe plowland	xv^s^ ster'
Derrevurro, halfe a plowland	xv^s^ ster'
Droumloskie, a plowland	xxx^s^ ster'
Letternuill, halfe a plowland	xv^s^ ster'
Dirinebrade	
[Torn—two entries are here illegible]	
Derrikine, a plowland	xxx^s^ ster'
Gortegoune and Clouncalline,	iij^li^ ster'
Ballencliagles, halfe a plowland	xv^s^ ster'
Macera m^c^ Teige, of Driminisse, 2 p'lds,	iiij^li^ ster'
Drimineiragh, a plowland	xxx^s^ ster'

Being p'nt at the time when th'above George Berrie under sherriffe delivered possession unto th'above M^r Syly Sullyvane of th'above Tenements, wee whose names ensueth:—Edmond Hanolaghan—Thomas Browne—Donough m^ce Sermodieglas his marcke—John m^c Thomas his + marcke—Donil m^ce Swiney his + marcke—Morish Hoare his + marcke—John m^c Edmond his + marcke.

Copia Vera

XXXII.

Order by the Commissioners of Judicature for Kerry that all who intend to submit to the Commonwealth of England should come in and sign the prescribed Engagement.

[Dated. Trabe 23 April 1653]

[Original]

[Endorsed] ffor the subscribing to ye Ingagment.

By the Com'issio^rs of Judicature and Revenue for the precinct of Kiery.

Whereas there hath been a p'clamation directed to the severall Barronyes of this precinct, that all manner of p'sons which intended to submitt to the power and authority of the Com'onwealth of England, should come in and subscribe to the Engadgment ordained in that behalfe. And whereas wee are informed that most of the natives of this precint have, notwithstanding our orders unto them in that p'ticular, either in Contempt or disobedience thereunto, have neglected to appeare, according to our said su'mons, to subscribe unto the said Engadgm^t. These are therefore to will and require you forthwith t[o] cause present publication to be made to all and singular the Inhabitants of your Barrony, that all such p'sons, as have not subscribed to the said Engadgm^t, doe appeare before us in Traly the 9^th of June next, then and there to subscribe to the said Engadgm^t. Otherwise wee shall hould and repute all such p'sons, as shall faile therein, to be Enymyes, and ill affected

to the said Co'monwealth. And wee likewise require you to take a strikt and exact accompt of all such p'sons as cannot p'duce their Ticketts of their subscription, and returne their respective names unto us, with their qualityes and places of aboade; that wee may take such Course against them as shall bee thought fitt. Whereof you are not to faile. Given att Traly the 23 of Aprill 1653

[signed] W. Hall John Nelsonn
Ri: Ousley. Whitall Brown

[addressed] To the Agents and Applottors of the Barrony of Dunkyran (These).

XXXIII.

Commission for Owen O Sullivane as Ensign in the Duke of Gloucester's Regiment of Foot.

[Dated at Bruges 11 January 1657]

[Parchment. Original]

CHARLES R [Autograph]

Charles, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. to our trusty and wellbeloved Owen O Sullyvane, Ensigne, Greeting. Know you that We, reposeing | trust and confidence in yo' diligence, fidelitie, and experience in Military affaires, Doe hereby constitute | and appoint you to be Enseigne of one company of foote, whereof Colonel Gilbert Talebott is Captaine, in the Regiment of our most dear and entirely beloved brother Henry Duke of [Glocester'.], | whereof Tibault, Lord Viscount Taf, is Colonel, w'ch company by virtue of this our Commission you shall | receive into yo' charge as Enseigne from yo' said Captaine. These are therefore to require you to make | present repaire to the said Company, and taking the same into yo' charge as Enseigne, [forthwith] | to exercise the same duly in Armes, com'anding all inferior officers and soldiers of the . . . . . | you to obey as their Enseigne, for our

Service; according to this Com'ission given you. And you | likewise to obey and follow such orders and directions, as you shall receive from our self, and our | said most dear brother, your Captaine, and all other the superior officers of the said | Regiment and Army, according to the Discipline of War. Given at our Court of Bruges in | Flanders this eleventh day of January 1657 in the Eight yeare of our Reigne

By his Mat Command

Edw. Walker.

XXXIV.

Certificate from Lord Taaffe of the services of Ensign O'Sullivan.

[Dated 11 January 1661]

[Original]

[The commencement of the two first lines of this document is defaced]

[. . . . . Vi-count T]aaffe and Collonel of his
[. . . . . Hig]hnesse the Duke of Glocester's regiment.

I doe hereby certifie that Enseigne owen ô Sullivan served in the above regiment, allwayes in the qualitie of an Enseigne, in paye from the very begininge, and makeinge up of the above said regiment, untill the last reducement, made at Marduque by his Ma^tes^ orders, in which Company, wherein he served all w'ch time with all integritie, care, diligent, [sic] and obedience, as alsoe demeaninge himselfe as did become a valliant and worthy officer under my Command, dureinge the above mentioned time, given under my hand att London this 11^th^ of January 1661

W: Taaffe*

* William, Viscount Taaffe, and Theobald, Earl of Carlingford, signed the remonstrance of the Roman Catholic nobility and gentry of Ireland in 1661.

XXXV.

The Earl of Clancarty's certificate of the services and sufferings of Lt Colonel Donogh McGillycuddy.

[Dated 26 March 1661.

[Original]

[Endorsed] The Earle of Clancarthy. Certificat 26th March 1661]

[I CER]TIFIE that Lt Colonell Donogh mac Gillycuddy of . . . . . [torn] . . . . the countie of Kierie, in his Mat[ies] realme of Irland, hath chearfully embraced the peace made by his Excellency the Lord Marques of Ormonde, in an'o d'ni 1648, with the confederat Catholickes there, and constantely adhered to the same, and caused all others with whome he hath influence to doe the like. And I doe further certifie that the said Lt Colonel, out of his zeale towardes his Mat[ies] interest, and for the furtherance of his service, did afterwardes reiect anie corespondencie, or treatie, with the ministers of the late usurped power in that nation, and that he not onely suffered longe imprisonment & the loss of bloode, estate, and goodes, in that Cause, but hath allsoe contracted the hatred and indignation of Henry Cromwell & Sr Hardres Waller, soe far as that they burned and destroyed all the said Lt Colonell's and his tenantes' and dependantes' howses & goodes, and destroyed and killed manie of them.—The said Lt Coll. refuseinge to surender his Castle, then garisoned by my orders for his Mat[ies] service, and refuseing to pay that partie anie contribution, And that the said Lt Colonell did, by like orders, quitt & burne his said Castle, he being not able to resiste the then prevaileing power of his Mat[ies] enemies, by whome he was, after the laying down of armes in that nation, expulsed oute of his patrimony and exiled into foraine partes, where he had ever sithence continued. [torn] . . . . manifestac'on of truth I certifie as aforesaid [torn] 26th day of March An'o D'ni 1661

CLANCARTIE.

XXXVI.

Lord Inchiquin's certificate.

[Dated 26 March 1661]

[Original]

[Endorsed] Earle of Inchiquin's Certificate. 26 March 1661.

I doe hereby Certifie that L^t^ Coll' Donogh MacGillycuddy hath chearefully embraced the peace made in the Kingdome of Irland by his ma^ties^ Royall authoritie in the yeare 1648, and in manifestac'on thereof and of his integretie to aduance his ma^tie's^ seruice, hath in the same yeare raised a goode companie of foote at his one coste and charges by com'ission from me, and hath faithfully discharged his truste and dutie on all occasions by his constant adhearcing to the said peace and his ma^tie's^ authoritie. I doe further certifie that I did not finde that the said L^t^ Coll' had anie hande in the plunders and outerages com'itted in Irland, And on the contrarie doe well know he hath releeved protestants in greate distresse. All which in testemonie of truth I doe testifie as aforesaid. Given under my hande the 26^th^ of March 1661

Insiquin

XXXVII.

Another Certificate, from Lord Clancarty.

[Dated 29 March 1661]

[Original]

[Endorsed] The Earle of ClanCarthy his certificat to L^t^ Coll' Mac Gillycuddy. 29^th^ March 1661.

I doe hereby Certifie that L^t^ Coll' Donogh Mac Gillycuddy, being not in armes untill the yeare 1648, hath cheerefully embraced the peace then graunted, by vertue of his ma^tie's^ royall authoritie, by the lorde Marques of Ormonde, to the Irish nation, and alsoe in manifestac'on of his zeale and willingnes in aduaunce-

ing his ma^tie^s seruice, did raise a foote companie of one hundred men att his one sole costes and charges, by vertue of a com'ission from the Lorde of Inchiquine to serue in his Ma^tie^s armie, then Comaunded by the said Lorde of Inchiquine, in the Prouence of Monster, and that afterwardes, when his Ma^tie^s Cause was in a decleineing condic'on in the Kingedom of Irlande, the said L^t^ Coll' drew togeather five or six companies of his kindesmen and freindes, whereupon the Lord Marques of Ormounde hath graunted him Com'ission to be L^t^ Coll' of a Regiment of foote in his Ma^tie^s armie, then Comaunded by me in the said Prouence of Mounster, wherein he behaued himselfe gallante and faithfull, to the expence of his blonde and lounge imprisonment, and manie other damadges, and remained under my said Comaunde untill the very last Gaspe of necessitie. And then, I being constrained to artikle for the layeing doune of armes, he the said L^t^ Coll' did choose rather to betake himselfe to exeile from his natiue Countrey then accept of anie condic'on or qualificac'on from the Ministers of the usurped power, wherein he continued untill att present, wherein he did not neglect (as in dutie bounde) from time to time to present his faithfull seruice to his Ma^tie^ and his Royall highnes the Duke of Yorke, and dayly cherished by his constante hoapes of his Ma^tie^s restaurac'on. All which, in testimonie of truth, I doe hereby certifie as aforesaid; as witnes my hande the 29^th^ day of March 1661

CLANCARTIE

XXXVIII

M^c^Gillycuddy's Petition for Restoration to his Estate, with order of reference thereupon.

[Dated 5. April 1661]

[Endorsed] The Petic'on of L^t^ Coll' Donnogh m^c^Gullihudye.

To the Kings most Excellent Ma^tie^. The humble petic'on of L^t^ Coll Donnogh m^c^Gullihudye,

Humbly sheweth,

THAT y^e^ pet^r^ was of very tender yeares & yo^r^ Ma^tie^s Ward in y^e^ yeare 1641, and did behaue himselfe peaceably & inoffensibely during y^e^ comotion &

troubles in Ireland, w^th^out acting against yo^r Ma^tie^ or yo^r Royal ffather, nor having anie hand or advise in y^e^ plunder or outradges done against y^e^ Protestants.

That being come to riper yeares y^e^ Pet^r^, assoone as he was able to beare Armes, did obtaine a Com'ission from y^e^ Earle of Insiquin, then Lo. President of Munster, to be Cap^n^ of a company of ffoote in yo^r^ Ma^tie^'s Army, and afterwards was advanced to y^e^ place of a Leuit' Co^ll^ of y^e^ Lord Muskery's Regim^t^ of ffoote, and ever since acted w^th^ all fidelitye for ye advancem^t^ of his Ma^tie^'s service, untill he was inforced to quitt his Armes & transport himselfe beyond seas, where he hath offered his service to yo^r^ Ma^tie^.

That y^e^ Pet^r^ never tooke any lands in Connaught or Clare, and is, as he humbly conceaveth, restorable to his lands & seigniories in the Countyes of Corke & Kiery, w^ch^ were disposed or assigned by y^e^ usurped power.

The Pet^r^ therefore humbly prayeth, That yo^r^ Ma^tie^ will be gratiously pleased to give Order for restoring y^e^ Pet^r^ his said estate and lands,

And he will pray &c

Whitehall, Aprill 5, 1661

His Ma^ty^ is graciously pleased to referre this Petic'on to the R^t^ Hon^ble^ the Lord Vis^t^ Moore, the Lord Vis^t^ Loftus of Ely, the Lord Amgier & the Lord Kingston, or any two of them, to examine the contents of the same, & to certify his Ma^ty^ what they think fit to be done thereupon.

Will Moriee.

XXXIX.

The Duke of Ormond's certificate of M^cGillycuddy's services.

[Dated, 6 April 1661]

[Original]

[Endorsed] His Grace the Duke of Ormonde his Certificate to L^t^ Coll' Donogh M^c^Gillycuddy, 6^th^ April 1661.

THESE are to certifie that L^t^ Coll' Donogh Mac Gillycuddy hath cherefully embraced the peace graunted by me, by vertue of his Ma^tie^'s Royall authoritie,

to the Irish nation, in the year 1648, and hath continued adhearing to the same, and in manifestac'on thereof, and of his zeale to advaunce his Ma^ties service, hath in the same yeare (being not before in armes) raised a foote companie att his one proper costes and charges, by Com'ission from the Lorde of Inchiquine comaundeing his Ma^ties forces then in the provence of Monster, and afterwards, when his Ma^ties cause hath bene in a declineing condic'on, he, the said L^t Coll', hath brought togeather five or six companies of his kindesmen and friendes, whereupon I gave him a Com'ission to be L^t Coll' of a regiment of foote in his Ma^ties armie, then comaunded by the erle of Clancarty, wherein he continually served with the losse of bloode, durance of lounge imprisonment, and severall other sufferinges, untill the said Earle of Clancarty being necessitated to artikle for the layeinge doune of armes, he, the said L^t Coll' betooke himselfe to a voluntarie exeile into foraine partes, without accepting anie condic'on or qualification from the Ministers of the usurped power, where he continued untill his Ma^ties hapie restauration, and duringe his said exeile did never neglect to tender his humble and faithfull Service to his Ma^tie, all which in testemonie of truth I do certifie as aforesaid; as wittnes my hand att Whitehall the 6^th Aprill 1661

ORMONDE

XL.

Order of King Charles II. for the restoration of M^cGillycuddy to his estates.

[Dated 18 April 1661]

[Original]

[Endorsed] L Coll' Mac Gillycuddy's landes restored in Ireland.

CHARLES R [Autograph]

UPPON considerac'on had of a Report made unto us by Henry Viscount Moore & John L^d Kingston, grounded on our reference, of the 5^th of this instant Aprill, uppon the Humble Petic'on of Lieu^t Colonell Donogh MacGillicuddye, In w^ch report is contained the Certificate of our Right trusty & R^t well beloved cousin & Councellor, James Marquesse of Ormond, Steward of our Houshold,

testifying that ye said Donough MacGillicuddye chearfully embraced the Peace made in the yeare 1648, and in manifestation of his Adherence to the same, & of his Zeale to advance our Service, did, in the same yeare, (having not been in Armes before) raise a Company of Foot at his own proper cost and charges, by Commission from the Earle of Insiquin commanding our forces then in ye Province of Munster, and afterwards, when our cause was in a declining condic'on, he, the said Donough mac Gillicuddye, brought together five or six Companies of his Kinsmen and friends, whereuppon ye said Marquesse, then our Lieu^t^ of Ireland, gave him a Com'ission to be Lieu^t^ Colonell of a Regiment of Foote in our Army under the comaund of the Earle of Clancarty, where he con^t^stantly] served with wounds, Imprisonment & several other sufferings, untill the said Earle of Clancarty being necessitated to Article for y^e^ Laying Down of Armes, he, the said Lieut' Coll^l^, betooke himselfe into Foreign parts, without acc'pting of any condic'on or qualification from the usurped power, Where he continued untill our happy Restauration and during his Exille never neglected to tender his humble & faithful service to us. There is also mention of severall other Certificats testifying (besides ye matters before mc'con'd) his constant Adherence to our Peace & authority. We are fully satisfied, uppon the said motives, of the said Lieu^t^ Collonell's innocence, and, that according to the opinion of the said Referees he is, within our Declaration and Instructions, restorable unto the possession of all and every his Manors, villages, townes, lands, tenements & Hereditaments, whereof he was Dispossessed under colour of any acting of any usurped power in that our Kingdome. And we do hereby order and require that the said Donogh Mac Gillicuddy or his assignes be forthwith be forthwith [sic] established and confirmed in the possession of all All and every the said Manors, villages, townes, lands, tenemants & hereditaments, and also have and receive the meane profitts to him lawfully due or anserable of such parte of the said premisses as are not in the possession of any Reprizable persons by virtue of our said Declaration & y^t^ for such as are soe possessed Reprisalls be given to such Reprizable persons according to our said Declaration,*] And wee doe hereby order and Require that our Justices of that our Kingdome, & all and every other our Chief Governor & Governors thereof for ye time being, our Judges, Commissioners for the Executing our said Declaration, our Sheriffes and other Ministers whome it shall or may concerne, doe and shall

respectively take notice hereof, and cause this our order to be put in speedy and due Execution, as alsoe the said Donough Mac Gillicuddye to be established in the possession of all and every the said Mannors, villages, townes, lands, tenements & hereditaments as well those in our hands as otherwise, & cause Repriſalls to be given unto Reprizable persons (if any) who now possesse the same or any part thereof, according to our said Declaration, and wee doe hearby will & require all and every person & persons w'ch now are or hearafter shallbe possessed of any the said Mannors, villages, townes, lands, tenements & hereditaments or any part thereof, to yield up and deliver unto the said Donough mac Gillicuddy or his assignes the quiet and peaceable possession of the same, and not to commit any wast uppon the premisses or any part thereof, as they and every of them will answer the contrary att theire perills: And our Barons of our Court of Exchequ' in that our Kindome, our Attorney & Sollicitor Generall and all other our officers whome it doth or shall concerne, are hearby required to cause all seizures sequestrations rents and sum'es of mony remaineing in charge in our said Court [of Exchequ'] uppon any parte of the s'd premisses under colour of any actings of any usurped* power, or of any person deriveing from the same, to be vacated and put out of Charge, for which this shall be to them a sufficient warrant. Given at our Court at Whitehall, the 18th day of Aprill, 1661, in the thirteenth yeare of our Reigne.

By his Ma'ties Com'and
Will: Morice.

Entered at the Signet
15 May 1661

W^m Trumball

There is also a copy of this document certified as "A true copy—Exam^d by me.

Ja: Shaen

* These words within brackets [ ] are omitted in one of the copies of this document.

XLI.

Permission for M'Gillycuddy to pass from England to Ireland.

[Dated 25 May, 1661.]

[Original]

[Endorsed] The Kinge his passe for m^r^ Gillycuddy to com for Irelande. Dat' 25^th^ may 1661.

[Seal *perfect*.]

CHARLES R. [Autograph.]

CHARLES, by ye Grace of God King of England, Scotland, France & Ireland, Defend^r^ of ye Faith &c, To all persons to whom these presents shall come, Greeting. These are to require all whom it may concerne, to permitt & suffer ye Bear^r^, Lieut^t^ Coll^l^ Donogh Mac Gillycuddy, with his wife & family, together with their Goods & necessaryes, freely & quietly to embarke in any part or port of O^r^ Kingdome of England, & thence to passe into our Kingdome of Ireland without lett or molestation. For which this shall be yo^r^ sufficient warrant. Given at Our Court at Whitehall ye 25^th^ day of May in ye 13^th^ yeare of Our Reigne, 1661.

By his Ma^ty^s Command

Edw: Nicholas

Passe for M^r^ MacGillycuddy into Ireland.

XLII.

Pass for M^c^Gillycuddy to enter Ireland from Flanders.

[Dated 31 May 1661]

[Original]

[Endorsed] 31^st^ May 1661 L^t^ Coll^o^ Donogh m^c^ Gillycuddy's passe to Ireland from K. Charles 2^d^.

[Seal *gone*]

CHARLES R [Autograph]

CHARLES, by ye Grace of God King of England, Scotland, France & Ireland, Defend^r^ of ye Faith, &c. [to] all persons to whom these presents shall come, Greeting. These are to require all O^r^ officers & Subjects whom it may concerne (and to desire all O^r^ Friends & Allyes) to permitt & suffer ye Bearer hereof, Lieut^t^ Coll^o^ Donogh Mac Gillycuddy, his wife & family, together with their Goods & necessaryes, freely & quiettly to passe from Flanders to any part or port within O^r^ Kingdome of Ireland without let or moles[tation.] For which this shall be y^r^ Warrant. Given at our Co[urt] at Whitehall this 31^st^ day of May 1661, & in ye 13^th^ yea[r of] Our Reigne.

By his Ma^ty's^ Command

Edw: Nicholas

XLIII.

Order of the Lords Justices of Ireland for an account of M'Gillycuddy's lands.

[Dated, 14 June 1661]

[Original]

[Endorsed] L^t^ Coll^o^ Mac Gullicuddye's ord^r^. 14 June 1661.

By the Lords Justices of Ireland

Mau: Eustace, Canc^r^ Orrery Mountrath.

Ordered that his Ma^ty^ Surveyor and Auditor Generall doe Certifie a Particular of the Estate of L^t^ Colloncll Donogh Mac Gullicuddye, what part thereof is at present in his Ma^tys^ hands, what part thereof set out to Adventurers, Sould^rs^, or other Reprizable Persons, and how much thereof lyes concealed or for w^ch^ Decrees are graunted unto Protestants in the Court of Exchcq^r^ or late Court of Claymes. And returne the same unto Us with all convenient speed. Given at Dublin the 14^th^ of June 1661. In the 13^th^ yeare of his Ma^ty^ Reigne.

Intrat' in offic' Sup'vis'r gen^ll^. John Pettie Dep' Sur' Gen^ll^.

Ja: Shaen

L^t^ Coll Mac Gullicuddye ord^r^ to Aud^r^ & Survey^r^ Gen^ll^.

XLIV.

Order signed by the Lords Justices of Ireland for putting M'Gillycuddy into possession of part of his estate.

[Dated 2 July 1661]

[Original]

[Endorsed] L^t^ Coll^r^ Mac Gullicuddy's ord^r^ for his Estate in the King's hands

By the Lords Justices of Ireland

MAUR^E^ EUSTACE. CANC^r^ ORRERY MOUNTRATH.

WHEREAS applycac'on hath beene made unto Us, by L^t^ Coll^r^ Donogh Mac Gullicuddy, to be restored to the possession of such part of his Estate in this Kingdome as is in his Ma^ties^ hands, according to his Ma^ties^ l're^s^ of the 18^th^ of Aprill last in that behalfe: And for that it doth not appeare to Us that the s'd L^t^ Collonell MacGullicuddy hath taken out any Lands, or Decrees, in Connaught or Clare: And that by the l're^s^ from his Highnes the Duke of Yorke it appeares that he hath served his Ma^tie^ in Forraigne parts: It is therefore ordered that the s'd L^t^ Coll^r^ MacGullicuddy be forth^with^ put into the quiett and peaceable possession of such part of his Estate, in the Schedule hereunto annexed, as is now in his Ma^ties^ hands, and not set out to Adventurers, Souldiers, or other Reprizeable persons, or not claymed by or decreed unto Protestants: And it is likewise further ordered That our very good Lord the Cheife Baron and other Barons of his Ma^ties^ Court of Exchequ^r^ doe put out of charge in the s'd Court soe much of the s'd Estate as shalbe restored and put into the hands and possession of the s'd Coll^r^ Mac Gullicuddy, as afores'd: And that the rent payeable by his Ma^ties^ Declaration be duely reserved upon and paid out of the s'd Lands. Whereof the Sherriffe of the County of Kerry is to take notice and to put him in possession of the s'd lands accordingly. And for soe doeing this shalbe a suff^t^ warrant. Given at Dublin the 2^d^ day of July 1661. In the 13^th^ yeere of his Ma^tys^ Reigne.

Int' Ja: Shaen

L^t^ Coll Mac Gullicuddy to be restored to the possession of part of his Estate in the Kings hands.

XLV.

M'Gillycuddy's Petition to the Commissioners for executing the Act of Settlement, with a schedule of his lands.

[Dated 1662.]

[Endorsed] The Clayme of L^t Col^l Donnogh m^cGillecuddy —— pleading his Ma^ties orders, his service & Ormond's peace —— Parcell of the Territorie of Twogh, m^c G^s Cheeferents.

N.B.—In the following document the words between brackets have been taken from another petition nearly identical, so far as it goes, with this.

To the Right ho^ble the Com^rs for executing his Ma^tie^s gratious Declaration for the Settlement of his Kingdome of Ireland.

The humble pett^n of L^t Coll^l Donogh MacGillyeuddy, of Castlecurig, in the Countie of Kierie

Sheweth that your pett^r chearefully embraced the peace graunted by his Ma^tie^s Royall authoritie, in the yeare 1648 [and caused all on whom he had influence to do the same,] and did constantly adheare thereunto, and served actualy in his Ma^tie^s armie by com^ission from the Lord Marquesse of Ormounde & the Lord of Inchiquine [whilst his Ma^tie^s authoritie continued in the said Kingdome and] untill the usurped poure became prevalent. Then yo^r pett^r, abandoneing his estate and [native] countrey, betooke himselfe into foreine partes, followinge his Ma^tie^s fortune, person, and Comaundes, untill his hapie restauration, [all] which is [redye] produceable by Com^issions & certificates. [That your pett^r nor none of his name took Landes in Connaght or Countie of Clare, that your pett^r is possessed of the moste parte of his estate (by order from the Lords Justices pursuant to his ma^tie^s gratious letters in your pett^r^s behalfe) as in the annexed schedule] In consideration whereof, in pursuance of his Ma^tie^s gratious letter, by orders from the Lordes iustices, yo^r pett^r is established in the possession of the moste parte of his estate in the anexed

scedule sett forth, and what parte thereof he is not possessed of, he prayeth remedy, [pursuant to his ma^tie^s said gratious letter] & he shall pray &c.

The Scedule and Claime of L' Coll' Donogh MacGillycuddy for his estate as followeth, whereof, in sundrei parcelles, in his banishment, severall persons were iniustli returned proprietors by the several surveiours.

The 4 ploughlandes of fiarmagatt, Tiniscarty, Ardes and Kearhubeg. The 2 ploughlandes of Quarhunchuones. The 2 ploughlandes of Banechuone & Ardlaghas. The 2 ploughlandes of Sanderies. The 2 ploughlandes of Culeionigh. The 2 ploughlandes of Cortnascarie. The 2 ploughlandes and a halfe of Quileuleeluhir & Killgobnit. [The one plowland of Kippagh] The halfe ploughland & twelft part of a plowghland of Kipagh. One ploughland of Kelenivorane [Keleneuorane] Halfe a ploughland in Killquolaghta. One ploughland of Balliledir. One ploughland of Aungarievoghtragh. The 2 ploughlandes of Ardshillhane. The 2 ploughlandes of Cahirdonil Irhagh. The 2 ploughlandes of Rashes. The 4 ploughlandes of Cahirdonilmore, Garugh & Ballicarrighane. One ploughland of Brachaligh. The 3 ploughlandes of Quode & both Bchigianes. The 4 ploughlandes of Goulane, Keapuiankush, Listiconor and Kiarhamireightragh in Kinsalegh. The 4 ploughlandes of Glan Loghi, Dirin Aulife, Ardmore & Mile. The 2 ploughlandes of Muniflugh & Diriletterquose. The one ploughland of fokimuileniviene [Forromuileniniene] The 3 ploughlandes of Dirinavorig, Keaunekiegh, Ensinileegie, Lomaneigh beg, Lomaneighmore Dromtine, & Garinish. Inisherkin & severall other Islandes in the sea. The 2 ploughlandes of Arkinturke & Clodagh in mortgage of one hundred poundes ster'. Kipaghanine one ploughland in mortgage of twentie poundes ster'. The one ploughland & a halfe of Gortanvickane, gort Arinamiaune; lettir [Knoughardgoune] dromduffe, Insimore, Kiapaemanigh, gortineroe, gortincaharigh, gerhilleydie, & other Parcells all in Cahirogiarane in glanoRuoghta. [The 3 plowlandes of Culekuo Culebane and Neauntenane] Gortnaclohimianeigh in mortgage of thirtie fower poundes ster'. Goranenifolly 1 ploughland in mortgage of 10^li^ ster'. The cheeferent of fourscore halface groates yearely due out of the landes of Muntir Barie in the baronie of Beare & Beantrie and countie of Corke. Parte of O Sullevane Moare's cheeferent due out of the [landes of Coshirhinie and Driminie] ensueing landes & other Parcells mortgaged to the pett' for one hundred & thirtie poundes ster'., vid^t^, Balliniglearigh 1^li^ 8^s^ 4^d^ ster'., Cloghane-Keanuge &

Dukalla 2li 13s 4d ster', Rathkierane 1l 6s 4d ster', Killnabuoniweast & Aghort 2l 16s 4d ster', Killoneilhaly 1l 6s 0d ster', Keanch 6li ster, Killmackierin 2li 4s 0d ster', Malin, Dro Iragh, & Biraghig 4li 1s 8d ster', Dromodtiase 1li 3s 4d ster', Oghta, Easte Dromod, easte Killnabuoine & Cahirsuane 5li 2s 8d ster'. Cluhirighbeg halfe a ploughland, whereof the p'tt' hath the fee-simple.

The claimant sayeth that he is possessed, by vertue of the Lordes Justices' orders as aforesaid, of the premisses except the 4 ploughlandes of farinagatt, Tiniscarty, Ardes & Kearhubeg, one ploughland of Kelenivorane, halfe a ploughland of Killgobnit, one ploughland of Clodagh, one ploughland and a halfe of Gortanvickarie, Gortarinamiaune, lettir, dromduffe, Insimore, Kiapumanigh, gortincroe, gortincahirigh, gerhickydie, & other Parcells, all in Cahirogiarane, in GlanoRueghra. And fourscore halface groates aforesaid cheeferent due out of the landes of Maintirbary, in the barony of beare & Beantrie & countie of Corke.

Ex[d] Tho: Kennedy

Ex[d]: p': G: A:

The Territory of Tuogh, belongeinge to the Claimant in demeasne, and services, consisteth of the ensueinge Particullars:—

Dunekierane Barony.—Cnockane & Killforglin Parishes.

Kearhubegg, Ardes, ffarrenegatt and Tyniscarty fower Plowlands. Now in the possession L[t] Coll' James Naper.

Carrunehones two plowlands.

Baneclune and Ardlachiss two plowl'ds.

Sandurries two plowlands.

Culleanaghes two plowlands.

Gortnascarrye two plowlands.

Killeuleclooghir and Killgobnitt two plowl'ds and a halfe a plowland. The halfe ploughland of Killgobnit in the possession of L[t] Coll' James Naper.

In Capagh halfe a plowland and the twelfe part of a plowland.

Kealeneuorane one plowland. Made use of att present by L[t] Coll' James Naper.

Ballyledhir one plowland.

Aunenegarrie oughtragh one plowland.

Mac Gillycuddic's Reekes, Aulagh, & other Glines, and pastures called Cullogiclighir.

The Territory of Bordonnie belongeinge to the Claimant in demeasne, rents and services, consisteth of the ensueing Particullars:—

Barony aforesaid and in Killeroghane Parish—
Ardshelane two plowlands.
Cahirdonile Irlagh two plowlands.
Burracahirrigh one plowland.
Goulaunes, and Keapagh anrath two plowlands.
Lisstyenoghure and Scart two plow'ds.
Glaune Loughy one plowland.
Dirrinaulitie one plowland.
Ardmore one plowland.
Dirrilettircouse and Munifluigh two pl'ds.
Ragmore one plowland.
Raghightragh one plowland.
Coades one plow'd and the fourth part of a pl'd.
Forryenoile nevien one plowland.
Garrughe halfe a plowland and the 3d part of a plowland.

XLVI.

Another Petition from McGillycuddy to the Commissioners for executing the Act of Settlement.

[Dated 1662]

[Endorsed] McGillycuddy's pet[n] to the Co[rs] for the act of Parliament & a Scudule of his estate.

To the Right Hono[ble] his Ma[tie]'s Com[rs] Appointed for puttinge in execution the Act of Parliam[t] Intituled an act for the better execution of his Ma[tie]'s Gratious Declaration for the settlem[t] of his Kingdome of Ireland, and satis-

faction of the severall enterests of Adventurers, Souldiers and other his subiects there,

The Claime [of] L^t^ Coll^r^ Donogh m^c^Gillycuddye of Castlecurrigg in the Countie of Kerry.

The Claimant saith that hee is Rightly Interested in, and Restoreable to, the severall Castles, Townes, lands, Rents, and other Enterests, in the annexed Schedule contained: for that the Claimant, on severall occasions since the late distractions happened in his Ma^tie^'s dominions, Indeavoured to serve his late Ma^tie^, and his Ma^tie^ that now his. Yett, to secure himselfe against the defections of those times, the Claimant cheerefully submitted, and constantly adheared, to the peace concluded in the yeere one thousand six hundred fortie and eight, and served actualy in his Ma^tie^'s army, by Com^r^ission from the Lord Marquesse of Ormond and the Lord Inchiquine, untill the usurped power became prevalent. Your petn^r^ abandonninge his Estate and Countrey betooke himselfe into forraigne partes, followinge his Ma^tie^'s fortune, person, and Command, untill his happie Restauration: w^ch^ is produceable by Com^r^ission and Certificats. In consideration whereof, and in pursuance of his Ma^tie^'s Gratious letters, by orders from the Lord Justices, your petn^r^ is Established in the possession of the most parte of his Estate in the annexed Schedule sett forth; and what parte thereof hee is nott possessed of, he prayeth Remedye, the Rather that by his Ma^tie^'s order, of the eighteenth of Aprill one thousand six hundred sixtie and one, severall matters therein appeared to Induce your Hono^rs^ to favo^r^ the petio^rs^ speedie Restitution, who never accepted any Lands in Connaght, or Countie of Clare, in hope to bee restored to his former Estate by his Ma^tie^'s happy restauration, w^ch^ hee humbly prayeth may now, by your hono^rs^ decree, bee effected.

And he will Pray &c

A Schedule of the Lands menc^o^ned in MacGillycuddye's Pettition.

Carhubeg, Ardes, ffiaranegatt & Tignescartye, foure plowla'ds; Shanacashall, Kippaghmore, Kippaghantanavallie, Gortkulig, Ahane, Gortnagaune, & Aulogh, 321 Cows Grase (the Commons of the afforenamed foure plowlands); Carhunehones 2 plowl'ds; Sanduries 2 plowl'ds; Ardlaghas & Banecloune, 2 plowL'ds; Balleleddir, 1 plowL'd: Culecanigh, 2 plowlands; Gortnescarie,

Mueliaha & Ardrah, 2 plowL'ds; Mointaines called MacGillyeuddy Reeks; Culeclohir GlaunInsequint, 2 plowl'ds: Kippah & Gortloughra, 1 plowLand; Cealenavorane 1 plowl'd; Kilquolaghta, with the apportunancies 1 plowL'd; Aunegarieoughtragh, one plowl'd; Kilgobnett, halfe a plowL'd; Goulanes & Kiapuiganrush, or Carhumore, 2 pl'ds; Listeconor and Scart, 2 plowl'ds; Coade, 1 plowl'd, and 3 Gneeves; Behehane eightragh, one plowl'd; Behehane oughtragh, halfe a plowl'd; Bracaharagh 1 plowl'd; Cahirdonellmore, Garrugh, & Ballicarnachane, 4 plowl'ds; Rahmore, 1 plowl'd; Rahieragh, one plowl'd; Chahirdonell Ieragh, 2 plowl'ds; Ard-sheelane 2 plowl'ds; Glaunelogha, Ardmore, Maules, Derine Aulitfe, and Glinskie, 4 plowl'ds; Monieflugh, and Direlettirquose, 2 plowl'ds; formevoilenaviene, 1 plowl'd; Eskiloinane, 1 plowl'd; CauneReagh, 2 plowl'ds; Limmanagh beg, Limanaghmore, Insinaligie, Droumekine & Garrinis, 2 plowl'ds; with theire and every of theire appurtenances, surrounds, admeasurements, and number of Acers, lying and being in ye Barony of Dunkierane, parish of Cnokane, Killorloglene and Killiroghane, in ye County of Kierry and Kingdome of Ireland.

XLVII.

Bond for confirming an arbitration betweene Sheely M'Gillycuddy otherwise Carthey and Donogh M'Gillycuddy.

[Dated 23 May 1664]

[Original]

[Endorsed] Sheely Carthey's Bond

Noverint universi p' p'ntes me Sily m'Gillycuddy, als Carthy, de Corbally in Com' Keirry, vid', teneri et firmiter obligari Donato m Gillycuddy de Castlecurrigg in Com' pred', Armigero, in Cent' libr' ster' bene et legal' monet' de et in Angl', solvend' eidem Donato aut suo cert' Attor', Executor' vel assign' suis. Ad quam quidem soluc'on bene et fideliter faciend', Obligo me, heredes, Executor' et Administrator' meos. Sigillo meo sigillat'. Dat' vicesimo ter' May, An'oq' Regni Regis Caroli s'c'di, dei gra' Ang', Scot', ffrance, et Hib'nie Decimo quinto.

The Condic'on of ye above obligac'on is such that whereas there is severall

Mueliaha & Ardrah, 2 plowL'ds; Mointaines called MacGillycuddy Reeks; Culeclohir GlaunInsequint, 2 plowl'ds: Kippah & Gortloughra, 1 plowLand; Cealenavorane 1 plowl'd: Kilquolaghta, w'th the apportuancies 1 plowL'd; Aunegarieoughtragh, one plowl'd: Kilgobnett, halfe a plowL'd; Goulanes & Kiapuiganrush, or Carhumore, 2 pl'ds; Listeconor and Scart, 2 plowl'ds: Coade, 1 plowl'd, and 3 Gneeves; Belchane eightragh, one plowl'd; Belchane oughtragh, halfe a plowl'd; Bracaharagh 1 plowl'd; Cahirdonellmore, Garrugh, & Ballicarnachane, 4 plowl'ds; Rahmore, 1 plowl'd; Rahieragh, one plowl'd; Chahirdoncll Ieragh, 2 plowl'ds; Ard-sheelane 2 plowl'ds; Glaunelogha, Ardmore, Maules, Derine Aulitfe, and Gliuskie, 4 plowl'ds; Monieflugh, and Direlettirquose, 2 plowl'ds; formevoilenaviene, 1 plowl'd; Eskiloinane, 1 plowl'd; CauneReagh, 2 plowl'ds; Limmanagh beg, Limanaghmore, Insinaligie, Droumekine & Garrinis, 2 plowl'ds; with theire and every of theire appurtenances, surrounds, admeasurements, and number of Acers, lying and being in ye Barony of Dunkieranc, parish of Cnokane, Killorloglene and Killiroghane, in ye County of Kierry and Kingdome of Ireland.

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Noverint universi p' p'ntes me Sily m'Gillycuddy, als Carthy, de Corbally in Com' Keirry, vid', teneri et firmiter obligari Donato m'Gillycuddy de Castlecurrigg in Com' pred', Armigero, in Cent' libr' ster' bene et legal' monet' de et in Angl', solvend' eidem Donato aut suo cert' Attor', Executor' vel assign' suis. Ad quam quidem soluc'on bene et fideliter faciend', Obligo me, heredes, Executor' et Administrator' meos. Sigillo meo sigillat'. Dat' vicesimo ter' May, An'oq' Regni Regis Caroli s'c'di, dei gra' Ang', Scot', ffrance, et Hib'nie Decimo quinto.

The Condic'on of ye above obligac'on is such that whereas there is severall

controversies and suites 'twixt ye said Sheely m'Gillycuddy als Carthey and ye said Donnogh m'Gillycuddy, and Thomas Crosby of Ardfert, in ye aforesaid County of Kerry Esq^r. The w'ch controversies and suites, by mutuall consents, they have referred to Daniell oge Carthy of Culecleafe, owen o Sullivane of Carrignefoile, Daniell m' Owen Sullivane of Tullagh, and Donnogh m' Gillycuddy of Culicanagh in ye aforesaid County, gent's, and in case of any difference have qualified the said referees to choose an indifferent person as Umpire, by whose Umpireshipp both parties are to be concluded, y^t if the said bounden Sheely m'Gillycuddy, als Carthey, shall stand to, and performe, the award and Arbitrac'on of ye said persons soe choosen by them, and the Umpireshipp of such indifferent person choosen by the said Referees, if any such be choosen, Provided y^t the said award be concluded within two monethes, or when ye said Sheely or any intrusted by her, shall conveniently demand itt, then ye above Obligac'on shalbe voide, otherwise to stand in full force, efficacy and vertue in Law.

her marcke
Shily + m'Gullicuddy (seal)

Being pr'ent at ye signeing
sealeing and Delivering hereof

Cornelius Leary

Ger: ftz Gerald
Flor: Sullivan

XLVIII.

Certificate of the lands in Kerry confirmed to M'Gillycuddy under the Act of Settlement.

[Dated, *circa* 1665]

To the Hon^ble his Majestie's Com^rs for Executing the Acts of Settlement & Explanac'on

May it please your Hon^rs

The Lands following are allowed by y^r Hon^rs to be Confirmed to Donogh M^c Gillycuddy Esq his Heyres & Assignes for ever according to his Majesties L'res in that behaulfe, viz^t:—

Com' Kerry—Dunkeron Bar'

Denominacons	Irish Acres		
Kearewnahones	697	2	15
Ardlaghas and Baneeluone 2 p'lds	600	0	26
In ye 2 plowlands of Shehandury	702	1	39

Totall of Plantation Acres 2000^{a} makeing English Statute Acres 3239^{a} 2^{R} 17^{P}. Out of w^{ch} the Rent payable yeerely to his Majesty is Thirty poundes seaven shillinges & fiive pence

W'ch is humbly submitted.

Ex^{d} J.R.

XLIX.

License to keep Fire Arms.

[Dated 25. June 1666]

[Original]

L^{t} Coll' Gillyeuddy's order to keepe ten Fire Armes & three Case of pistolls.

By the Lord Lieu^{t} Generall and Gen^{l} Governor of Ireland.

ORMONDE

Wee are pleased that Lieu^{t} Colonell Donnogh m^{c}Gillyeuddy bee permitted to keepe ten fire Armes for ye defence of his house at Carrubeg in ye County of Kerry, and also three case of Pistolls for his owne and his servants travaileing Armes. Whereof all and every his Ma^{tyes} officers Ministers and Loveing subjects whome it may concerne are to take notice. Given at his Ma^{tyes} Castle of Dublin ye 25th day of June 1666.

Thomas Page

L^{t} Coll' Donogh m^{c}Gillyeuddy to keepe ten fire Armes for defence of his house and 3 case of Pistolls for travailing Armes.

L.

Order by the Commissioners of the Act of Settlement for the hearing of M^cGillycuddy's claim.

[Dated, 20 April 1667]

[Endorsed] Rule for Coll m^r Gillycuddy being heard to his claim as a Letteree

Saturday Aprill 20^th 1667 } By his Maj^ties Com^rs for Executing ye Acts of Settlem^t & Explanac'on.

Upon motion of S^r Nicho: Plunkett, of Councell with L^t: Coll^l Donogh m^c Gullycuddy, praying a short day for hearing of his Clayme as a Letteree exhibited before this Co^rt, ye same haveing been posted above 14 dayes: But upon view of his Clayme [it] appearing y^t he hath not pitched on his 2,000 Acres—Itt is ordered y^t the s'd Clayn^t, upon Munday next, do deliver unto the Sub Com^rs A perticuler of the 2,000 Acres w'ch he doth pitch upon, & upon fryday next ye Co^rt wil appoint a day when ye s'd Clayme shalbe heard

Signed by ord^r

Paul Brasier Dep. Reg^r

LI.

M^cGillycuddy's Petition to the Duke of Ormond.

[Dated circa 1667]

[Endorsed] The humble petic'on of L^t Coll^l Donnogh m^cGillycuddy.

To His Grace James, Duke of Ormond, Lord L^t Gen^ll, and Gen^ll Gov^r of Ireland,

The humble petic'on of L^t Coll^l Donnogh m^cGillycuddy,

Humbly sheweth,

That your petic'oner's Estate in y^e County of Keirry, being not sett out to any Adventurers, Sould^rs, or any other Reprizeable p'son, was, by y^e rates

of his Ma^ties Letter, and y^e order of y^e then Lords Justices in pursuance thereof, restored to your petic'oner. In procureing of w^ch favo^rs your Grace was y^e sole mediator by your Large and favourable Certificate in your petic'oner's behalfe to his Sacred Ma^tie.

Now soe it is, may it please your Grace, That your petic'oner's said Estate hath been subject to a certaine yearely Cheife-rent to ye late Earle of Desmond, w^ch is descended to your Grace and by the Act of Settlement intitelled unto your petic'oner's said Estate.

YOUR petic'oner in confidence of yo^r Grace's accustomed . . . . ^r Grace for stren . . . . . to y^e said Estate and that he and his posterity may depend imediatly of your Grace, in their houlding thereof, That your Grace willbe pleased to Convey the said Patrimony of your petic'oner's Auncestors, upon him and his heires, at ye said auncient rent,

And he shall pray &c

LII.

Order concerning the Duke of Ormond's application to the Exchequer for discharge of Quitrents on lands in Kerry, with the Chief Baron's order thereupon.

[Dated, Michaelmas Term 1667]

COM' KERRY } Ter'no Sancti Mich'is, 1667.

WHEREAS y^e Towne and Lands, called neddeene Turreenabrianto, parte of Neddeene, Knockanbane, p'te of the same, and sev^ll other p'cells of Neddeene aforesaid, Dromanstare, Ruganeaple, Killshabane, Cappagh, p'te of Neddeene aforesaid, and East Kibtrasny, all in y^e Barrony of Glanaroughty and County of Kiery aforesaid, are charged w^th sev^ll and respective sum'es of monye, as Quitrent due for y^e same, amounting to th'entire Sum'e of XXXV^li vij^s ij^d, ob' p' annum; alsoe y^e p'cels of Land, called Coad Gowlans, Listicomie, Behebane and Bunenecre, in the Barrony of Dunkeran, and County of Kiery aforesaid, are likewise charged w^th liij^s sterling p' annum; alsoe that X'p'r Hulcombe stands charged lxxvij^s vj^d for y^e ha[illegible] plowland of Moy-Isragh and eight Tenem^ts in Killarny, for one yeare's Rent pro May 1658: alsoe Rich^d Lone for

y^e^ rent of one acr^e^ of land and two tenem^ts^ in Killarny, for y^r^ s'd yeare, xxxvj ; alsoe Cahereboggarrow, ffurunegatt and Tineskarty 3^ti^ 1^a^ 1r^d^, 617^a^ Engl', stands charged w^th^ the yearly Quitrent of vij^li^ viij^s^ ob' rent p' annum ; alsoe Killgobenet conteineing 65^a^ [illegible] 1r^d^, 267^a^ Engl', 1^ti^ 1^a^, stands charged w^th^ ij^li^ x^s^ 1^d^ ob' rent p' annum ; alsoe p'te of Cappagh and Gorthogra, 130^a^ 1r, 210^a^ 2^ti^ 13^p^ [English], stands charged w^th^ y^e^ sum'e of j^li^ xix^s^ v^d^ Quitrent p' annum ; alsoe Kealnaronane cont' 201^a^ 1r', 328^a^ 3^ti^ 14^p^, English, stands charged w^th^ the sum'e of lxxj^s^ ij^d^ Rent, p' annum : alsoe of Culenagort 287^a^, 1r', 463^a^ Engl', 3^ti^ 15^p^, stands charged w^th^ the sum'e of lxxvij^s^ ij^d^, Quitrent p' annum ; alsoe parte of Clocagh, 66^a^, 1r, 106^a^ 3^ti^ 25^p^, Engl', stands charged w^th^ the Sum'e of xx^s^ ob' Quitrent p' ann', all in y^e^ Barrony of Dunkerran and County of Kiery aforesaid ; also Ballycarnhane, 1 plowl^d^, Cahirdonnellmore, 2 plowlands, Garragh, 10 gneeves, Rathreagh, 1 pl^d^, Rathmore, 1 plowland, Coad, 1 plowland and 3 gneeves, Direnmrigg, ½ plowland, ffaracoylenaven and Ekenlenare, 2 pl^ds^, Glinsey, 2 gneeves, being charged w^th^ y^e^ sev^ll^ Sume's of money as Quitrent due out of the same ; alsoe Ballyrolane and Alsoe Cahirirlagh in y^e^ Barrony of Clanmorrice and County aforesaid : alsoe Dunemonclane in Clanmorris Barrony : alsoe Knockeaconrusky, Crosneshane, Ballaghadowke, and Carrutragh in y^e^ Barrony of Iraghliconnor and County aforesa^d^. Wherew^th^ y^e^ Com^rs^ of his Grace, James, Duke of Ormond, L^d^ L^t^, &c, finding themselves greeved, moved the Courte for releefe, alleaging that y^e^ premisses are of his Grace's propriety, and that y^e^ Quitrents and other Rents of y^e^ premisses, w^th^ y^e^ arreares thereof, are rec^d^ by them, y^e^ said Com^rs^, for his Grace's use, and therefore they prayed that y^e^ same may bee Discharged in this Courte. W^ch^ being taken into consideracion, and for that y^e^ sufficient and satisfactory ground doth not, at y^e^ present, app'e to y^e^ Courte, for Dischargeing of the premisses—Itt is ordered that his Grace, y^e^ L^d^ L^t^, shall have time to pay, or legally to Discharge all Quitrents, and oth^r^ aforemenc'oned Rents, charged on y^e^ premisses, untill Hillary tearme next, and, in y^e^ meane time, noe proces to issue out of this Co't for y^e^ same,—And if the Sheriff of the s'd County, or y^e^ Receiv^r^, or Collector, of the Quitrents there, have taken any monies, or oth^r^ security, for this cause, they are, on sight hereof, to restore y^e^ same, and to bee thereof exon'ated upon his accompt. Whereof all p'sons concerned are to take notice.

Jo : Bysse

Ja : Smiley

LIII.

Agreement between Sir William Petty and Robert Marshall touching the lands in Kerry belonging to the three Regiments.

[Dated. 1 January 1668]

[Endorsed] A Coppie of the agreem^t between S^r W^m petty, Robert Marshall, Coll^o pretty, Benjemaine Barry and Cap^t Stopford 1^st Jan^y 1668

Memorand^m itt is agreed, that in the steed of Cap^t John Blenner Hassett's name, the name of S^r William Petty shall be inserted into the Certificat of the three Regiments, and that then both the Certificats shall pass as they did stand drawne up the last of December 1668.

2, That what land both the said Certificates doe containe more then the fiftythree thousand five hundred and one accers three rudes and five perches due to Robert Marshall, and twentie nyne thousand five hundred and three accers due to the said Regiments, being about 31767^accers shall be divided between the said Robert Marshall and the said three Regiments vide^t about 20000^accers to Robert Marshall and the remaineing 11767^accers to the said three Regiments

Item, Itt is agreed that out of the lands past in bothe the Certificates the said three Regiments are to have the whole parish of Templenoe, containeing 12769^accrs, and 3969^acc out of tt parish of Killeroghane, to be Cutt of, by the Sub Com^rs, next contiguous to Templenoe, soe as the whole remainder is to be to the said Robert Marshall.

Memorandum that the above mentioned 11767^acc, hereby allowed to the three Regiments, shall ley contiguous to their proportion in Templenoe and Killeroghane, or otherwise, as the said parties shall agree, either by value or quantitie of accers. In wittness whereof the said parties have hereunto interchangebly sett their hands this first day of January 1668

Robert Marshall
W^m petty

Signed and Delivered in the presence
of Thy: Kelly—Maur: White

LIV.

Surrender of lands in Kerry by the Duke of Ormond.

[Dated, 27 March 1668]

[Endorsed] For Collonell mac fynine, L^t^ Coll' mac Gillicuddy & m^r^ Teige Mahony, or either of them in the County of Kierry— Thomas Page.

I HAVE thought fitt hereby to give notice that I doe wave the possession of those lands that have of late beene enioyed by me in the Baronyes of Dunkerran and Glannoroughtye and Countie of Kierry, And shall hereafter expect to receave onely the Cheifries y^t^ are due to me out of them. And that I doe leave the lands themselves to be possessed by such persons to whom the same are, or shall be, adiudged to belong, by his ma^tie's^ Com^rs^ appointed for executing the acts of settlem^t^. Whereof you are to acquaint all persons concerned

your loveing frind

ORMOND

Dublin Castle the
27^th^ of March
1668

Copia Vera

LV.

Receipts for rents due to the Duke of Ormond out of lands in Kerry.

[Dated May 1668]

[Endorsed] Accquittances of Ter: Mahony for rentes oute of Karhuebegg &c for his Grace the Duke of Ormond

RECEIVED to y^e^ use of his Grace y^r^ Lord Duke of Ormond, out of y^e^ lands of Carrhuebeg, Ards, ffarrenagatt, and Tynaskarty, y^e^ sum'e of two pounds ster^l^. beinge y^e^ remainder of y^e^ whole yeares rent due to his s'd Grace for y^e^ yeare endinge att May 1665. Isay re'd the 3^rd^ of May affores'd

Ter: Mahony

I doe acknowledge to have received of Donnogh m^r^ Aulliffe to y^e^ use of his Grace y^e^ Lord Duke of Ormond, out of y^e^ lands of Carrhuebegg, Ards, ffarrennagatt & Tyneskartie, y^e^ sum'e of one pound & fiveteene shillings being y^e^ remainder of y^e^ whole yeares rent due to his s'd Grace out of y^e^ premisses endinge att May 1666. I say rec'ed ye 14^th^ instante May, as witness my hand

Ter: Mahony

Received at and by the hands of Donnogh m^r^Auliffe to y^e^ use of his Grace y^e^ Lord Duke of Ormond out of y^e^ fower plowlands of Carruebegg, Ards, ffarrennagatt and Tynaskarty, y^e^ sum'e of two pounds fower shillings & six pence ster', beinge y^e^ remainder of y^e^ whole yeare's rent endinge att May last 1668. I say re'd this 14^th^ instant May as wittnesse my hand

Ter: Mahony

LVI.

A letter addressed to Donogh M^c^Gillycuddy as Umpire between William Lander and Teige M^c^Daniell.

[Dated 10 May 1669.]

[Endorsed] A letter from Steephen Goolde & John Daly conserning Lander &c

Noble S^r^

On receipt of y^r^ last l'res unto us, dated 7^o^ May 69: wee have endeavo'red to recollect o^r^ selves touching the accoumpts and difference (still depending as wee conceave) twixt William Lander p^l^^r^, and Teige m^c^ Danyell and his Mother defend^ts^; and Neverthelesse o^r^ first l're unto you (and by us both subscribed) whereon yo^u^ grounded yo^r^ form^r^ adward as being Umpyer in y^e^ matter, must of necessity now discharge o^r^ Conscience, soe fa[r as to] lett yo^u^ know and understand that there was a greate mistake (on o^r^ partes) at that ty[me,] by not expressing at large aswell the severall sum'es of Monys paid and made manifest b[y y^e^ said] Lander being 49^li^ 10^s^ 8^d^ as alsoe by not setting forth to yo^r^ view the for[tie . . . . .] pounds due (in the beginning) to Teige m^r^Danyell with a clayme of interest for [y^e^ said] 40^li^, p'te whereof wee did exp'sse unto yo^u^ in y^r^ first l're, the one allowing [unto] m^r^ Danyell for the Intrest due to him the sume of 7^li^ ster', and the other allowing . . . , by reason

of o^r^ disagreem^t^ then touching y^e^ premisses, it lay in yo^u^ (being umpyer) to Compose y^e^ difference, and soe as wee understand that yo^u^ allowed to Teige m^c^ Danyell 7^li^ including the same, to his 40^li^, makes but 47^li^. Therefore wee Certifie y^t^ 49^li^ 10^s^ and 8^d^ is more y^n^ 47^li^ by 2^li^ 10^s^ 8^d^ w^ch^ yo^u^ may now take unto yo^r^ serious Consideracon aswell as y^n^ and better too; Considering y^t^ greate mistake of ours, and yo^r^ owne Conscencious reservacon, if any mistake did after yo^r^ adward of umpyershipp appe; soe y^t^ (as wee conceave) [you ought ?] to goe forward and fully determine the Controversie: first considering y^t^ 2^li^ 10^s^ 8^d^ together with y^e^ 4^li^ paid allready by Lander of that 7^li^ yo^u^ adwarded him to pay to Teige m^c^ Danyell, yo^u^ not knowing y^t^ there was any mistake. Thies much wee thought fitt to Certifie for truth, & w^th^ o^r^ humble respects unto yo^r^ noble selfe wee remayne, S^r^,

yo^r^ ever humble servants

Stephen Goolde
John ô Daly

May y^e^ x^th^. 1669

[Addressed] These, ffor o^r^ Noble and much respected frend L^t^ Coll^l^ Donogh m^c^ Gillycuddy—humbly p^r^sente

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LVII.

M'Gillycuddy's Petition to the Vice-President of Munster with the order of his Lordship (O Brien) thereupon.

[Dated 18 October 1669]

[Original]

[Endorsed] The humble pett^n^ of L^t^ Coll Donogh m^c^Gullycuddie.

The humble pett^n^ of L^t^ Coll^l^ Donogh m^c^Gullycuddy } To the right ho^ble^ y^e^ L^d^ vice p'sident of munster,

Most humbly complaineing, sheweth unto yo^r^ Lo^r^p your pett^r^ L^t^ Coll^l^ Donogh m^c^ Gullycuddie of Carrowbegge, in the County of Kerry,—That S^r^ W^m^ pettie K^t^, hath been, and still is, seized and possessed in the demeasne, as of ffee, of and in 18 Gneeves of Laud in Culeelohir and Glanmisequeen, in the County aforesaid, and w^th^in y^e^ Jur^r^ of this hon^ble^ Court,—That y^e^ said S^r^ W^m^, on or

about y^e^ first day of May 1669, at Culeclohir aforesaid w^th^in y^e^ County and Jur' aforesaid, did by his deed, indented duly in Law p'fected, demise, sett and to farme lett, unto yo^r^ pett^r^, all that & those y^e^ said 18 gneeves of Culeclohir and Glannisequeen aforesaid, with y^e^ appurtenances, for a certaine terme of yeares yet to come, and other valluable consideracions in y^e^ said Lease expressed, as in and by the same, dated as aforesaid, upon hearing of this cause shall appeare, —That your pett^r^ on y^e^ 18^th^ day of May, 1669, aforesaid, by v^rtue of the said Demise, entered upon all and singular y^e^ premisses w^th^ the appurtenances, and was and still is thereof lawfully possessed, w^th^out any manner of disturbance, until of late, to wit, on or about y^e^ 29^th^ day of 7ber 1669 last, one fflorence Sullevane, a nonresid^t^ person, Daniell Sullevane, and Owen Sullevane, both late of Glannisequeen in y^e^ said County, have, with force and armes, vizt:— clubbs and steaves, entered upon your pett^r^'s said poss'n of his said farmes and then and there did violently rescue such distresses, as yo^r^ pett^r^ tooke legally for rent then due to him thereout, and still continue their said disturbance from ye 29^th^ day of 7ber 1669 untill the day of y^e^ impetraction of this pett^n^, contrary to his Ma^tie's^ peace, all law and right, and to your pett^r's^ damage of 20^li^ ster', wherein he prayeth remedy, & the premisses, right hon^ble^ tenderly considered, and for that y^e^ pett^r's^ said quiet poss'n ought to be continued, untill legall eviction, as is evident by y^e^ knowne lawes and Statutes of this Realme— May it therefore please yo^r^ Lo^r^p to grant unto pett^r^ an ord^r^, strictly requireing the said fflorence, y^e^ rest of y^e^ said p'sons, and all others concerned, to forbeare disturbeing or in any wise molesting yo^r^ pett^r^ in his said quiet and peaceable poss'n of y^e^ pr'misses until thereout evicted by due course of Law, or else appeare before y^r^ Lo^r^p at a ct̃aine Day and Shew good cause to ye contray and he shall ever pray &c

G. fz Gerald

By the Vice President of Munster

fflorence Sullevan, the rest within complained of, and all others concerned are hereby required to permitt the pet^r^, by himselfe or his tennants, quietly and peaceably to enioy the possession of the Eighteen gneeves of land within mentioned, untill he bee thereout evicted by due course of Law, Or appeare within six days after sight or due notice hereof, and show good cause to the contrary. Charleville ye 18^th^ of October 1669

O'Breyen

LVIII.

Settlement upon the marriage of Cnoghor m Owen Gillycuddy with Honora Carew.

[Dated, 13 May 1670]

[Original]

[Endorsed] Articles betweene me and Donogh o Kealighir conserning Cnoghor mc Owen.

Artikles concluded & agreed uppon by & betweene Lt Coll' Donogh mcGillycuddy of Carhubeg & Donogh ô Kealighir of Clunemor

Impr: That the said Donogh ô Kealighir doeth hereby assigne over, unto the said Lt Coll' Donogh mcGillycuddy, the sum of one hundred & fiftie poundes, ster', uppon the hands of Sr Arthur Denny, Knight, & that to the use of Cnoghor mc Owen Gillycuddy of Gortnascarry, as marriage portion with Honora Carew.

And allsoe the said Donogh ô Kealighir doeth hereby assigne over, unto the said Donogh mcGillycuddy, to the use aforesaid, the proportion of what debts are due by paper unto the said Honora Carew.

It is allsoe agreed uppon that Lt Coll' Donogh mcGillycuddy aforesaid doeth hereby assigne, give, graunte & confirme unto the said Cnoghor mc Owen Gillycuddy & his heires males lawfully begotten for ever, all that & those the plowghland & a halfe of Gornascarry and Muelcaha, reserveing onely unto him, the said Donogh mcGillycuddy and his heires for ever, the yearly rente of one pound ten shillinges ster', to be leavied att the feastes of St Michaell the Archangell & Easter by two equall portions vidt:—fiveteene shillinges ster each of the gales aforesaid.

It is allsoe agreed that one halfe ploughlande of Gortnascarrie doe remaine in the handes of Mary Mahonie mother unto the said Cnoghor mc Owen Gillycuddy, dureing her naturall life.

It is allsoe agreed & concluded that one ploughlande of Muelcaha & Gortnascarie aforesaid is hereby given as iointer unto the said Honora Carew, dureing her naturall life, & that Donogh mcGillycuddy aforesaid doe warrant the said landes of Gortnascarrie & Muelcaha from him, or anie deriveing anie power by or under him, or his heires for ever, under the aforesaid reservations.

It is allsoe agreed uppon that the said Cnogho^{r} m^{c} Owen Gillycuddy & Honora Carew, after marriadge, may be, & remane, in the house of L^{t} Coll m^{c} Gillycuddy, one yeare or two yeares or more, if they thinke it soe fitt, & be readie to keepe house of there one, as wittnes our handes & seales the 13th day of may 1670

Do: m^{c}Gillycuddy (seal)

marke
Donogh ó + Kealigher (seal)
his

Being present

Owen m^{c}Dermod oge
Andrew m^{c} Teige
ffinin m^{c} Dermod.

LIX.

Letter from Rose, Marchioness of Antrim [she was daughter to Sir Henry O Neile, Knt, and was the second wife of the Marquess], touching part of the marriage portion due to M^{c}Gillycuddy by the M^{c}Carthy more.

[Dated 3 November 1670]

[Original]

November 3^{d} 1670

S^{r} This Gent^{r} m^{r} m^{c}Gillycuddy is married to my Coussen Charles m^{c} Carthy's eldest sister, and has brought an assignement from him to my L^{d} to pay this gntleman £200 for a . . . . . I finde that my L^{d} does not understand upon what account my Coussen Charles drawes assignements upon him, butt yett I do beleeve that my L^{d} would be Content to perfect that agreem^{t}, w^{ch} my Coussen Charles m^{c} Carthy his Lady made wth him, and that he will make such a deed for the paym^{t} of £400 as he made to yo^{u} for the . . . . . of the same lands, and to be paid in the same manner that yours is paid, immediatly after your paym^{ts} are expired, that is to say, to this gentleman the first £200, and the last £200 to my Coussen Catherin m^{c}Carthy, if she marries wth the Consent of my L^{d} and his Brother, m^{c}Carthy

more her eldest Brother, and my [Coussen] m^c^Carthy Cormock o Neale Esqr, and this gentleman, or any two of them, and if she marries otherwise, then the £200 to my Coussen Charles him selfe. If my Coussen Charles be contented with this, and that he will be partie to the deed, and some other trustees, as shall be thought fitt, you may be pleased to draw a draft of itt, and my L^d^ will be readdy to sign itt; otherwise my Coussen Charles need nott truble him selfe to send any assignem^t^ to my L^d^; as I beleeve I am

your assured friend

R. Antrim

LX.

Fragment of a letter written to Dennis M'Gillycuddy by his wife Margareta, elder daughter and co-heir of Mynheer Derrick Von Dacheluer, Burgomaster of Wageningen in the province of Guelderland.

[Date 27 June 1671]

The words within brackets thus:—[ ] have been supplied by conjecture, the writing being entirely obliterated in part of this letter.

Carhubegg 27^e^ Junii 1671

[. . . . . .] vallentine Browne et une autres aveeq Madam Sara, qui ma [ditque] vous ave mis vostres bien endangier pour se malheureaux [je vous dit] de les point faire pour point mestres le vostre endengier [Que faites vous] de passer vostre temps et de perdre les petit sous que [vous avez gagnes] pour maintenier nostre grand charge, ie vous ens [averté qu'il n'y avait]. . . noance desperance de se foire de Killarnie [une telle jomme.] touste que ie vous aij envoye [jusqu'au present,] ie este forcé de touche [bien contre mon grē a] £5 livres de les rent [je suis persuadée que] vos affaire irient [tres mal il faut vous rappeler que] vous [avez deja payé une] chose de cinque quatr . . . nt . . . prom [de ne rien faire en] de hors que vousavé este engrand [peine et embarras] si affligé qui

n'avoit rien que me don[nez du soulagement] grace a Dieu qui vous a gardé pour mois [de tendres amities] encore, ie vous pris de mez laysser scavoire [de vos nouvelles] ie seray bien en paine de scavoire de [quelle manière vous agirez] qui sera touste iour les desires de [. . . . . .] grace a Dieu

vostres Chere femme

Mag: M'Gillyeuddy

LXI.

Appointment of a Commission to enquire into the working of the Act of Settlement.

[Date circa 1671]

Charles the Second, by the grace of god King of Engl'd, Scotland, ffrance & Ireland, Defender of the Faith, &c. To our R^t^ Trustie & well beloved Councillor, S^r^ Orlando Bridgeman K^t^ & Barro^ns^, Keeper [1670–72], of our Greate Scale of Engl'd; greeting: Wee will and Com'and you, that under our s'd greate Scale in your Custodie being, you cause these our Le'r^s^ to bee made forth Pattents, in forme following:—Charles &c, to our Deare Cousin Prince Rupert; our R^t^ trustie & r^t^ entirely beloved cousin & Councellor, George, Duke of Buckingham; our r^t^ trustie & R^t^ well beloved Cousin & Councellor, Arthur, Earle of Anglesey; Jo^n^ Earle of Lauderdale; our R^t^ trustie and well beloved Councellor Anthony L^d^ Ashley; Denziell L^d^ Hollis; S^r^ Jo^n^ Trevor K^t^, one of our Principall Secretaries of State; and S^r^ Tho Chichley K^t^, M^r^ of our Ordinaunce, [1670–1674] greeting:—Whereas by our Order in Councell, of the fourth of ffebruary last past, wee appointed a Comittee to peruse & revise all Papers, writeings, and orders, concerning the Settlem^t^ of our Kingdome of Ireland from first to Last, and to make an abstract of the state thereof in writeing, whereby wee and our Councell might have before us, att one view, our Declarac'on, which was the foundac'on of the said Settlement and Instructions, and acts of Parliam^t^ relateing

thereunto, as they were transmitted from Ireland, and as they were amended here, with all orders of us and our Councell, and Warrents for grants, clauses and provisos, and what alterac'ons have been made of matters once ordered and settled, and how the whole settlem^t now stands, as farr as cann bee; and to represent any Defect of Papers, orders or Warrants, to justifie any clauses incerted contrary to or inconsistant with the said Declaration. W'ch Com'ittee have made theire Report to us in Councell the two and twentieth day of June last past, and the same being read and considered, it did appeare y^t many Papers, writeings, warrents, records, reports, Decrees, Directions, orders, acts of Councell, proceedings, entries, Surveyes, Inquisitions, and other matters and things necessary to enable them to give us the informac'on wee required, were wanting or not before them, soe as they could not make soe exact and full a report of all the p'ticulars wee had given them in charge, as wee expected. And haveing thereupon, by advice of our Councell, resolved, and soe declared in Councell, that wee would have an exact knowledge of all y^e Particulars, and of the Disposall of all y^r L^ds, Tenem^ts, and Hereditam^ts in Ireland, which were escheated or forfeited, or reputed to bee soe, or otherwise belongeing to us, our Royall ffather, or w'ch by Surveise, Inquisicions, or otherwise, were found forfeited, Escheated, or otherwise belonging to our said ffather, or our selfe, or which, in pursuance of the acts of Parliam^t, made in the Seaventeenth and Eighteenth yeare of the Raigne of our said ffather, for Adventurers in England, or by any other authoritie or power which governed in our absence beyond the seas, were distributed and disposed, seized or sequestred, or allotted, or Remaineing, in the hands of the late usurpers, and by what order and authoritie they have beene granted, and Disposed, and by whome they are possessed, and what part of them remaines yett undisposed, or Concealed from the Crowne. And to these ends it would be necessary to appoint, and give authority to some Persons, with fitt Instructions to guide them therein, and power to require Informac'on and helpes necessary from all our officers and Ministers of England and Ireland. Know yee that wee, in pursuance of our said Resoluc'on, and Declared intentions, and reposeing especiall Trust and confidence in the wisdome, abilitie, and Circumspection, of you the said Prince, Geo^ Duke of Buc', Arthur Earle of Anglesey, Jo Earle of Lauderdale, Anthony L^d Ashley, Denziel L^d Hollis, S^r Jo Trevor & S^r Tho Chichley, have named constituted and appointed, and by these p'sents doe

name, constitute and appoint, you to bee our Com^n^ to make enquiry, and report unto us, of all p'ticulars touching the premisses, hereby given and granted unto you, and any three or more of you, full power and authoritie to Intend, prosecute, and accomplish the said worcke, according to our intent and pleasure, in and by the said order in Councell of the fourth of february last, or these presents expressed, or declared, or otherwise as to you, or any three or more of you, shall seem expedient for our exact and full informac'on in the premisses, or for our service in this affaire. And, to that end and purpose, wee doe hereby give and grant, unto you, the said Prince, Geo' Duke of Buc', Art' Earle of Anglesey, Jo. Earle of Lauderdaille, Antho: L^d^ Ashley; Denziell L^d^ Hollis, S^r^ Jo: Trevor & S^r^ Tho Chichley, and any three or more of you, full power and authority, from time to time, to send for & to call to your assistance all or any of our Officers, Ministers, or Subjects, either in our Kingdome of England or Ireland, that may or eann give you any Informac'on, or assistance in the premisses, and alsoe to send for, and require the view of, any Transcripts or Coppies of all records, writeings, Evidences, Papers, warrants, orders, reports, Decrees, Directions, Immunities, Acts of Councell, proceedings, entries, Surveyes, Inquisitions, and other matters, and things, w'ch you or any three or more of you, shall judge necessary, or expedient towardes ye dispatch of this service. WHEREFORE WEE doe hereby will and require our L^t^ or other Cheife Governor, or Governors of our s'd Kingdome of Ireland, for the time being, and our Councell there, and all others our officers, ministers, and subjects, both in England and Ireland, upon produceing of this our Comiss^n^, or an attested Duplicate, or Coppie or enrolm^t^ thereof, to permit and suffer you, our s^d^ Comiss^rs^ or any of you, or such other person or persons, as you, or any three or more of you, shall, by any writeing und^r^ y^r^ hands and Seales, nominate, appointe, and authorise thereunto, to doe and execute all such acts, and things, as you, or any three or more of you, shall direct or judge necessary for the ends and purposes afores^d^, and, without any fee or Charge, to Search for, and take Coppies and transcripts of all, or any, records, Papers, evidences, writeings, warr^ts^, orders, reports, Decrees, Directions, Imunities, acts of Councell, proceedings, intries, Surveyes, Inquisitions, or any other thing any wayes touching the premises, or w'ch may be thought requisit in this behalfe, in the Custodie of any of our said officers, Ministers, or theire or any of theire said respective Deputies, or

in the possession or Custodie of any of our subiects whatsoever. And you our said Comissioners, or any three or more of you, are alsoe required, and enabled to observe such further Directions and instructions, as wee shall from time to time, und' our signe manuall, give unto you for your further guidance herein. And for the better execution of y' Trust com'itted to you, Wee doe hereby authorise and direct you, or any three or more of you, to nominate, constitute and appointe, such person as you, or anie three or more of you, shall thincke fitt, to attend you in this service to bee Clearke or Secretary to you our said Com^rs. And we doe hereby will and require you, o' said Com^rs, or any three or more of you, that with all convenient Speed you, or three or more of you, do Certifie and make report to us, att our Councell board in England, of your proceedings in all and singular the matters aforesaid, together with yo' oppinions thereuppon, and by what meanes any thinge done or omitted in prciudice, or damage of our Crowne, may bestly bee reduced. And our will and pleasure is, and we doe hereby direct and appoint, and firmly enioyne and Comand, all and every our officers and Ministers, as well in England as in Ireland, that are or shall bee anie wayes concerned in [torn] . . . affaires, and p'ticularly in passing and expeditting our l'ers Pattents, or any proceedings tending thereunto, that until or before such certificate or report bee made to us as afores^d noe new Grant or Disposition of Lands, Houses, Tenem^ts or Hereditam^ts in Ireland, on any pretence whatsoever bee made or prepared for our signature, or directed or suffered to pass our hand or greate seale, and all our said officers and Ministers, uppon sight of this our Com'iss^n or any attested Copie or enrolm^t thereof, to bee shewed unto or left with them, or anie of them, at theire respective offices or places of abode, are hereby required to take notice hereof, and to yeeld obedience accordingly. And we doe hereby Direct you, our said Com^rs, or three or more of you, to take especiall care, and observe and p'forme all ye particulars aforesaid, and diligently to attend the execution of this our Com'ission, in all things according to our Pleasure herein expressed, and the Powers and authorities hereby given you. And for the doeing thereof, and any matter and thing relateing thereunto, these presents, or the enrolm^t thereof, shall bee unto you, and every of you respectively, a sufficient Warrant and Discharge. In witnesse &c. Given att our pallace of Westminster, the [blank].

LXII.

Settlement upon the intermarriage of Charles Carthy with Ellin M'Gillycuddy.

[Dated, 9 September 1672]

[Original]

Articles of Intermariadge, made & agreed upon by & betweene Charles Carthey, of Srughgreany, in ye County of Keirry, gentl', of ye one p'te, and Donogh m'Gillycuddy, of Kearhubeg, in ye said County of Keirry, Esqr, of ye other p'te, as followeth :—

Imp^is^, The said Charles Carthy is to take to wife Ellin Gillycuddy, Sister of him ye said Donogh m'Gillycuddy, and her to mary accordinge to ye Rites of ye Holy and Catholique Church, at or before ye twelft day of September next.

(2) Secondly, ye said Donogh m'Gillycuddy is to give unto ye said Charles Carthy, or his assignes, as mariadge porc'on with his said sister, ye number of fortie five Cowes of severall adges, vizt :—ten milch Cowes and ten incaulfe Cowes, together w'th twenty five Cowes aged two yeares on or about ye first day of May next, as alsoe ye number of Eight mares or Garons and one Rideing Nagg, all w'ch Cattles are to be given & delivered as aforesaid, at or before ye first day of May aforesaid.

(3) Itt is concluded and agreed upon between ye said Charles Carthy, and Donogh m'Gillycuddy, yt if ye said Ellin Gillycuddy should happen to dey before ye said Charles, without issue begotten on her body by the said Charles, yt ye one moytie, of all ye goods and Cattles, debts, & Creditts personall then of ye said Charles, shall Revert & become due to him ye said Donogh m'Gillycuddy, his heires executors, Adm^rs^, and assignes.

(4) It is likewise Covenanted, Concluded, and agreed upon by and betweene ye said Charles and Donogh, yt if the said Charles Carthy, his heires or assignes, shalbe restored to his estate, yt he ye said Charles shall then make and assure, by Deeds or otherwise, as ye Councell learned of him ye said Donogh shall desire, or Advise, unto her ye said Ellin, as

Joynture, one plowland of Srughgreany aforesaid, together w'th fifty pounds ster' mortgadge to ye heire of ye said Ellin, begotten or to be begotten on her body by the said Charles; And further ye heires of ye said Charles, in case of his death before his being soe restored, in case of their or either of their Restitue'on, as aforesaid, shall likewise make sure unto ye said Ellin ye said Joynture, together with ye said sum of fiftie pounds, ster', mortgadge on ye said ploughland of Srughgreany, for her heire as aforesaid.

(5) Itt is Covenanted, Condic'oned & agreed upon between ye s'd Charles & ye said Donogh, yt if ye said Charles should dey before ye said Ellin, yt ye one Moyty of all ye goods & Chattles, debts and Creditts personall of him, ye said Charles, shall Descend and come to ye said Ellin.

Lastly, it is Covenanted, Condic'oned & agreed upon by and betweene ye said Charles Carthy and the said Donogh m'Gillycuddy, yt ye said Charles and ye said Ellin after Solemnizac'on of the said intended intermariage had, and Concluded, shall make a full Release to him ye said Donogh of all & all manner of Challenges, Demands, debts, and Dowers made, or left to her ye said Ellin by her father Connor m'Gillycuddy deceased, either by will, by deed, or otherwise, and shall on all demands deliver up unto ye said Donogh his heires or assignes to Cancell, all bonds, deeds, or other security for any such demand remayneing in ye hands of her ye said Ellin, or him ye said Charles, or in ye hands of any other p'son or p'sons to their, or either of their use or uses. In wittness whereof ye said parties have to these pr'nts interchangably sett their hands & seales ye Nynth day of September 1672

Charles Carthy (Seal)

Beinge pr'nt at ye signeing, sealeing, and
deliveringe hereof

Daniel m'Carthy
owen Sulyvane
Tiege m'c Carthy
fflor Sullivan
Carbry Egane

LXIII.

Marriage Bond of Charles Carthy, of Srughgreany.

[Dated 9. September, 1672]

[Original]

[Endorsed] Charles Carthy of Srughgraine his bond for performance of Artikiles.

Bee it knowne unto all men by these p'nts, that I, Charles m^r^ Daniell Cartie, of Sugreine in the Countie of Kierie, and Barronie of Ivrahagh, gent', doe hereby acknowledge and Confesse my selfe to bee duly oweinge, and Indebted, unto Donnogh m^c^Gillyeuddy, of Carnebeg in the Barrony of Dunkerane, and Countie aforesaid, Esq^r^, in the just and full sum'e of fiue hundred pounds ster', good and Lawefull monie of England, to be paid unto the said Donnogh m^c^ Gyllyeuddy, his Heires, Executors, Administrators, or Assignes, att his or their will and pleasure. To the which paym^t^ well and truly to be made and done in manner and forme as afore said I, the said Charles m^c^ Daniell Carty, doe bynd my selfe, my Heires, Executors, Administrators, and Assignes firmely by these p's'ts. As witnesse my hand and seale this Nynth of 7ber, in the year of our Lord god one thousand six hundred seaventie and two.

The Condition of th'above obligation is such, that if th'above bonden Charles m^c^Daniell Carty doe well and truly observe, p'forme and keepe all the Clauses, Conditions, Articles, Covenants, and agreements, Contained in one paire of Articles of Intermarriage, made and concluded upon by and betweene the said Charles Carty, and the above named Donnogh m^c^Gyllyeuddy, for and in the behalfe of his sister Ellen Gyllyeuddy (which Articles beares Date with these p's'ts) which ought to be p'formed, observed and kept on his the said Charles his p'te and behalfe, without fraud, Coven, or deceite, then th'above

obligation to be void and of no effect, otherwise to stand and remaine in full force and vertue in Lawe

[Signed] Charles Carthy (loc. sig.)

Signed, sealed, and delivered in ye presence of us
Daniell m^c^Carthy
owen Sulyvane
Teige m^c^ Carthey
Flor: Sullivan
Carbry Egane

LXIV.

Licence from the Privy Council for Donogh and Dennis M'Gillycuddy to visit London.

[Dated 13 February 1673]

[Original]

Whereas it appeares unto us, uppon the reasons in the affidavitt hereunto annexed, that Coll' Donogh Mac Gillicuddy & Dennis mac Gillicuddy his son have Necessary Occasions to returne to the Cittyes of London & Westminster, Wee doe therefore, according to y^e^ Power given us by his Ma^tie's^ late Proclamac'on, hereby lycence the said Coll' Donogh Mac Gillicuddy & Dennis macGillicuddy his son, to returne & Continue in ye said Cittyes dureing y^e^ Session of this Present Parliam^t^; Provided this Lycence be Entered w^th^ the Clerke of ye Councell attending, within ten days after the date hereof. Given under our hands this 13^th^ day of ffeb^ry^ 1673.

[Signed] Worcester — Ormonde — Anglesey —
S^t^ Alban — Bathe — Ossory

Ent'red Robert Louthur

Patrick Trant maketh oath that Coll' Donogh mac Gillicuddy, and Dennis macGillicuddy his Son, hath necessary Occasion' to come to the Cities of London and Westminster to follow their busines

P. Trant

Jur' 25° die Jan'ry 1673, cora' me Ma'gr'o in Cancel'

Mo: Pratiston.

LXV.

Certificate of the arrears of Quit rent due on M'Gillycuddy's lands.

[Dated 26 August 1673]

[Endorsed] Certificate from M^r^ Cudmore of Coll^o^ M^c^Gillycuddy's Arrears. Com^r^ Kerry.

Com^r^ Kerry. Arr^s^ upon Inocent Papists.

Collonell Magill-Cuddy,—rent of the Landes of Kernehownes cont^r^ 240^a^ 3^r^ 39^p^, at lxxiij^s^ ij^d^ ob p^r^ ann^m^; of the same, cont^r^ 406^a^ 2^r^ 10^p^ at vj^li^ iij^s^ vj^d^ p^r^ Ann^m^; of the same, cont^r^ 50^a^ 0^r^ 6^p^ at xv^s^ ij^d^ p^r^ Ann^m^; Ardlaghas & Banclowne, two pl^ds^, cont^r^ 600^a^ 0 23^p^ at ix^li^ ij^s^ iij^l^ p^r^ ann^m^ for three yeares end^r^ at Michās 1668 oweth ——— lix^li^ ij^s^ iij^d^ ob

Ex^d^ P. Cudmore.

Com Kerry

	Acres	Roods	Perches	£	s	d	li	s	d
Kearnahownes ———	240	3	39	3	13	2			
of ye same	406	2	10	6	3	6	19	14	1
of ye same	50	0	6		15	2	per Annum		
Ardlaghas and Banclowne 2 plwlds	600	0	0	9	2	3			

The said landes were adjudged to Coll^o^ m^c^Gilly Cuddy a Letterree, and are to this tyme in Arreare of Rent (as I beleeve, for I cannot find any paid). And ye said landes being included amonge others for which ye ffarmers of ye Revenue have had allowance, the same have been past in Custodium to M^r^ Jeffryes, for ye use of ye Com^rs^, accordinge to theire direccon.

26^th^ August 1673. P. Cudmore

LXVI.

Certificate of John Champante Esq.

[Dated 9 September 1673]

Whereas Donnogh Magilly Cuddy, Esq^r, hath signed two Debentures for the Receipt of One hundred pounds, for one yeare's Pen^con, ended Easter last, out of w^ch, fees being Deducted, there Remaineing Ninety seaven pounds. Bee itt Remembred that he hath onely Rec^d in Money out of the Treasury thirty five pounds & that the Remainder thereof, being Sixtytwo pounds, is Respited by the Com^rs of the Treasury, for Arrears of Quitt Rents due from him in ye County of Kerry. Wittness my hand this 9^th day of September Anno Dom' 1673

[Signed] Jo : Champante Dep' Rec' Gen'

Wittnes—Jer : Donovan

LXVII.

Order of the Court of Exchequer, made by John Bysse the Chief Baron, for quashing the order for Seizure of M'Gillycuddy's lands which had been issued at the prosecution of Sir W. Petty.

[Dated Trinity Term 1673]

[Endorsed] An order to take off the Seizure of Carhunehones &c

Com' Kierry Ter'n' S'ct Trinit' 1673

Whereas a seizure issued to the Sheriffe of the said County, at the prosecution of S^r William Petty, Knight, to seize into his Ma^tie^s hands the lands following, (that is to say) Kearhunehones, Ardlaghas and Banecluone, upper Amengrave, [Aunegarie ?] Cullianagh, leying and being in the parish of Knockane, and Barrony of Dunkierane, in the said County of Kierry ; as alsoe Shandrum, part of the weast of Clouloghten, besides 78 accers confirmed to John Aymes, and 431 acres to Henry Pretty, in Inshinagh, besides 214 accers

confirmed to the said Henry Pretty, leying and being in the parish of Killgarvan, in the said County: as alsoe part of Droumfieghnue, and an other part of the same, and Clounery, besides 67 acres confirmed to S^r^ George Cartrett, and an Island near Dynish Island, in y^e^ p'ish of Toisista; as alsoe Kinagh, Droumeragh, Killmae-Ieren and malten Skillaghig Bryhig, Kanig Droumekeare, and Barekanigh, leyinge and being in the parish of Dromott, and Barrony of Everagh, in the said Countie. And whereas Coll' Donough m^c^ Gillycuddy and others, by their Councell, humbly moveing the Courte, settinge forth that y^e^ said seasure ought to be quashed, in regarde the Schedule thereunto annexed is not sufficient to entitle the King to the Lands aforesaid, beinge onely brought in by the Com^rs^ of his Ma'tie' Trea'ry, w'ch the Courte takeinge into Considerac'on, and the truth of the said allegac'on appeareinge by the said seizure, and Schedule now produced and read in Court, and uppon full debate of the whole matter, it is ordered, that the said seizure of all and singular the afforesaid lands and premisses, in the said Countie of Kierry, afforesaid, be quashed, nullefyed, and made voyd, and all proceedings thereuppon had, or to be had, soe as the said Co^ll^ m^c^ Gillycuddy and others, and their tennants be noe further troubled, or molested, as to their possession, uppon the account of the said seizure, and his Ma^tie's^ writt of *amoveas manu** to issue to the said Sheriffe of the said Countie whereof the Second Rem^r^, Sheriffe of the said Countie and all tennants and other persons concerned, are to take notice

Jo: Bysse

Copia vera Ex^d^ p'
Jo: Thompson
Dep^t^. Rem' thes'.

* Amoveas manus or Ouster le main, a livery of land to be amoved out of the King's hands on a judgment obtained upon a *monstrans de droit*, to restore the land, it being as much as if the judgment were given that the party should have his land again. Abolished by 12 Car. II., c. 24.
[Wharton's Law Lexicon.]

LXVIII.

M'Gillycuddy's petition to be restored to the remainder of his Estate, and for the Quitrent due on his lands.

[Dated 27. May 1674]

There are two copies of this petition.

[Endorsed] The Petic'on of Lieu^t^ Co^ll^ Donogh MacGillycuddy. Rec^d^ 27^th^ May 1674 & then read in Councell.

To the King's most Excellent Mat^ie^.

The humble Petic'on of Lieu^t^ Col^r^ Donogh Mae Gillycuddy

Sheweth

That your Mat^ie^ was Graciously pleased by your Royall Letters of ye 18^th^ of Aprill 1661 (a Copy whereof is hereunto annexed) in Considerac'on of the Pet^rs^ Loyalty Sufferings and Services in the said Letter expressed, to order that your Pet^r^ might be forth w^th^ restored to his Estate [in your] Ma^ts^ Kingdome of Ireland, pursuant whereunto your Pet^r^ became possessed thereof.

That the Com^rs^ of the late Court of Claimes in that Kingdome have past Certificates of almost all your Pet^rs^ said Estate to severall soldiers, but ye lands being Course and unprofitable and not worth the Quittrent reserved thereupon, the said Sould^rs^ have therefore neglected taking out Letters Pattents pursuant to their said Certificates whereby the said Lands are now become waste.

Wherefore, and for that your Ma^ts^ Gracious Intentions have been all along that the Pet^r^ should be restored to his said Estate, his humble prayer is your Ma^tie^ now will graciously please to restore him to as much thereof as is now in your Ma^ts^ disposall, reserving thereout to your Ma^tie^ the former Crowne Rent (the Lands not being worth the new Quittrent) and further to grant unto your Pet^r^ the new Quittrents reserved to your Ma^tie^ on the rest of your Pet^rs^ Estate

And your Pet^r^ shall pray &c.

At the Court at Hampton Court ye 27th of May 1674
Upon reading the within written Petic'on this day at the Board it was Ordered by his Matie in Councill that the same be delivered to the Right Honble the Lord Visct Rancleugh who is to consider thereof and Report to his Matie in Councill his opinion thereupon

Exd W. Walker.

LXIX.

Another petition concerning the Quitrents.

[Dated 1674]

To ye King's most Excellent Majestie

The humble Petic'on of Lieut' Col' Donogh Mac Gillicuddy

Sheweth/

That in ye beginning of ye late warrs in Ireland, in ye year 1641, yor Petr was then a Minor, and in Wardship, and had no hand in any of ye troubles of that time, nor was of any Army, untill that, in ye year 1648, yor Petr raised a Company of ffoot at his owne proper cost & charges and served therewith under ye Earle of Insiquin, then Comanding yor Ma'tie's Forces in yr Province of Munster in yor Mat's Kingdome of Ireland. And afterwards, when yor Ma'tie's Cause was declineing in that your Kingdome, yor Petr, out of his good affection to yor Mats service, voluntarily made up Six Companies of ffoot of his owne neere kinsmen and relations, and had his Grace ye Duke of Ormond's Comission to serve with them as Lieuten' Colonel to ye late Lord of Muskrie's Regiment, in wch Imployment yor Petr faithfully served, untill ye laying downe of Armes of yor Mats party there [being made prisoner by ye Enemy and haveing received severall wounds in yt time] after wch yor Petr betooke himselfe to forraigne parts [and on your Maties's arrival in flanders tendered his service to yor Matie and was ready and] where he continued obedient to yor Mats comands.

That after yor Maties's happy restauraec'on, upon considerac'on had of yor Petr's Condition [Services and Innocence] and that he was restoreable by ye rules of

yo^r Ma^tie^s gracious Declarac'on for ye Settlement of that your Kingdome of Ireland, your Ma^te was graciously pleased by your Royall Letters [directed to y^e Lords Justices of Ireland] dated ye 18^th of Aprill 1661 (a Copy whereof is hereunto annexed) to order that yo^r Pet^r should be restored to his Estate, pursuant to which yo^r Pet^r was put in possession thereof [of his hole estate] w^thout y^e least hindrance. But y^e Act of Settlement being soone after enacted [and there being a clause therein y^t none should be deemed innocent who injoyed any Estate Real or personall in ye Irish quarters, because of that qualification] it was as well yo^r Pet^rs misfortune, as y^e fate of many others, that he could not come to a tryall of his Innocence, by reason of ye shortnesse of time allowed by [by y^e Rules of y^e said Act & of y^e Explanatory Act] the said Act, so that since that time yo^r Pet^rs Estate is Decreed [directed] away to others, whereby y^r Pet^r is miserably left destitute of maintenance for himselfe & many children, contrary to yo^r Ma^ts gracious intentions in Favour of y^e Pet^r.

Yet, in regard y^e said Estate is a large Scope of very course land, and that y^e Quitrent reserved to yo^r Ma^tie thereout, by y^e late acts of Settlement, is farr more than y^e yearly value of it, by means whereof there hath been nothing [not one penny] hitherto paid thereout, unto yo^r Ma^te, but y^e lands left in Condic'on of wast, yet yo^r Pet^r continueth possession of y^e most part thereof, pursuant to yo^r Ma^ts gracious letters bearing date as aforesaid.

May it therefore please y^r Sacred Ma^tie, to take y^e premisses into y^r Royall Considerac'on, and in Comiserac'on of yo^r Pet^rs sad Condic'on, to be graciously pleased to grant unto yo^r Pet^r and his heirs, y^e Quitrents and y^e arrears thereof, due and payable to your Ma^te out of yo^r Pet^rs said estate [since yo^r Pet^r cannot have the land being Decreed away as aforesaid] towards his maintennance and relief[e]; and that y^e Barons of your Ma^ts Court of Exchequ^r may be required, as often as y^e said lands or any part thereof, shall be in arreare of Quittrent and lay wast, to give yo^r Pet^r and his heirs a Custodium thereof, they answering & satisficing in proportion y^e Ancient Crowne Rents payable into yo^r Ma^tie^s Exchequ^r in y^e yeare 1641

And your Pet^r will Ever pray &c

* The words within brackets [—] are supplied from another document, in other respects identical with this.

LXX.

Third Petition for the Quitrents.

[Dated 1674]

To the King's most Excellent Maiestie

The humble pett^n of L^r Coll' Donogh MacGillycuddy

Sheweth

That yo^r pett^r lately prefered a pett^n unto yo^r Ma'tie, setting foorth that yo^r Matie was grateously pleased to graunte unto yo^r pett^r yo^r Royall letters, dated the 18^th of Aprill 1661, to be restored unto his Estate, in consideration of his loyalltie, service, & sufferings, as in yo^r Ma'tie's said letters is fullie expressed. And that in pursuance thereof yo^r pet^r was put in possession of his Estate, and still continueth the most parte thereof. But so it is, may it please yo^r Ma'tie, that the quitrent, imposed on your pet^rs said Estate by yo^r Ma'tie's comissioners, by vertue of the Acts of Settlement of yo^r Ma'tie's Kingdome of Ireland, is far more then the pett^rs estate is yearly woorth. Wherefore your pett^r reapeth but little benefit thereout towards the maintenance of his wife and manie children, and the rather that yo^r pett^rs tenants and relations (the most part of them officers and souldiers who served your Ma'tie at home and abroade with you^r pett^r) are forced to forsake the said landes to secure theire poore stocke from the collectors of the quitrents, which if seized uppon woulde be the everlasting ruine of them and yo^r pett^r, if not timely grateously releeved by yo^r Ma'tie, yo^r pett^r haveing lounge waited with great expence, and hath not wherewithall to support himselfe much lounger.

May it therefore please yo^r sacred Ma'tie, in consideration of the premisses, & compassion of yo^r pett^rs sad condition, to be grateously pleased to graunte unto the pett^r, and his heires, the quitrent and the arreares thereof, (as the same was charged on your pett^rs Estate by your Ma'tie's Comissioners for executeing the acts of Settlement) to supporte himselfe and greate charge, being not in condition otherwise to subsiste. And yo^r pett^r will, as in dutie bounde

for ever pray etc:

LXXI.

Fourth Petition for the Quitrent.

[Dated 1674]

To the Kings most Excellent Ma'tie,

The humble pett[n] of L[t] Coll[l] Donogh MacGillycuddy,

Sheweth,

That yo[r] pett[r] hath presented a former pett[n] to yo[r] Ma'tie, prayeing yo[r] Ma'tie woulde be grateously pleased to graunte unto yo[r] pett[r] the quitrents & arreares of quitrents, due unto yo[r] Ma'tie oute of yo[r] pett[r's] Estate, for the reasons in the said pett[n] mentioned. And whereas S[r] William Pettie, by the name of one Marshall his servant, hath been in som small matter concerned in yo[r] pett[r's] estate, being only five parcells, yo[r] Ma'tie was pleased to order that S[r] William Pettie aforesaid shoulde make answere unto yo[r] pett[r's] said former pett[n], which answeare he hath endusterously intered, indeavouring thereby to shut up yo[r] Matt[s] Royall hands from recompenceing yo[r] pett[r's] Loyaltie & services, a copie of which answeare yo[r] pett[r] may not have untill first reade in Counsell.

The pett[r] therefore humbly prayeth yo[r] sacred Ma'tie woulde be grateously pleased to order that yo[r] pett[r] shoulde have a coppie of S[r] W[m] Pettie's said answeare, to reply thereunto before anie determination of the cause. And allsoe that yo[r] Ma'tie be pleased to order that yo[r] pett[r] may make answeare to S[r] William Pettie's adresses for remittall of his quitrents, or his man Robert Marshall's, which in effect is the same, (as well as the said S[r] W[m] was ordered to make answeare unto yo[r] pett[r's] said pett[n]) yo[r] pett[r] being much conserned to make oute whether yo[r] Ma'tie hath more reason to graunte what is yo[r] Ma'ties to S[r] William Pettie, or to the pett[r], and allsoe to prove that the remittall of S[r] William Pettie's quitrent openeth a far greater gap in yo[r] Matie's revenew then the pett[r's] demaunde. & yo[r] pett[r] will pray, etc.

LXXII.

Letter written to M'Gillycuddy from his son.

[Original] [Dated 21 December 1674]

Ballenprior 21° Xbris 1674

DEARE ffather, yours of the 3d of 9ber I have receaved a lounge agoe, praysed be to God that the gentleman had that overthrowe, I have given you an account in my last how I founde the most part of the people here very could in that of the healpe. I have sence conferred with a great many of them, and gave them time to provide what they could, to see if I could make any thinge considerable up, to be sent you. And in the beginninge, before I tryed them, I had great hopes, but now, I find them soe base and soe unworthy, that I have nott had 20 shill's in this whole parrish; soe that I presume they thinketh that you are doeinge noethinge, and therefore does nott much care wether they send you any thinge or noe. I have had in Bordoneen few Chattle and £4 in moneys. There are a great many of them that shunned me, and others denyinge for good and all. I assure you they are all as much altered as any in the whole Country sence your departure, onely the poorest sort. You had but little hopes to trust unto them, unless they were sensible you were in a condition that they should feare you. I shall endeavour to send you what is remayninge of the little rents, before the latter end of the holly dayes, and if I cann gett any more Chattle from any of them, I presume to keep them to satisfie napper, for we are much in arrears to him now. I have conferred with both my Cou' Cosbies about what you writ of M' Bat'. My Cou' patricke is willinge to accept of the imployment for him selfe, if my L^d Ranelagh, or any other peere, be concerned in y^e revenew for the future. He is sherriffe for the insueinge yeare. He desires to know of itt by the first. Sence I am mightely affray'd some one will snach away N. interest here before may next, what doe you thincke of Capt Cullen now sence the other designe did fayle you. My Cou' Tho' Crosb' is lyke to be his heire, his enterest where you knowe is worth £55 a yeare above the quitt rent, soe that I doe verryly beleeve Nap' would rather exchange with him then sell the interest. I know that the promises

had noethinge to doe with what I writt of D.'s letter. He worked with my L^d^ Ranel's Agent to gett some of y^e^ lands, that were uppon y^e^ seisure, to be secured from others that should have a grant of them. There are other parcells concealed in y^e^ parish of drommud, videlicet, Tarremen-meanagh, 2 pl'ds, Coulcarten part of Taremenieragh, the glinns of Cunmon and Buolicollimane & Commienenvanny.

Iveraligh Baro'.

Killimmeglagh parish.

	£	s.	d.
Boluskand lattife 4 pl'ds	20	00	00
Ballenegulle nevlaune 3 pl'ds	15	00	00
Killibuonie and C'lighanecanning 3 pl'ds & 8 gneeves	19	00	00
Aghgort one pl'd & 4 gneeves	08	00	00
Killonecaha one pl'd	06	00	00
Allaghhy 2 pl'ds	07	10	00
Doekallie one pl'd	05	00	00
Killaluoig 2 pld's	07	10	00
Aghagadda one pl'd	04	10	00
Ardcost one pl'd	04	5	00
in all	£96	15	00

Prior parish

Culligh and Killurlie 4 pl'ds Kinnard and Ballentaumple 2 pl'ds Ballenskelligh, Arregel and Cannuig 4 pl'ds Clighanemnuo one pl'd and a halfe	53	00	00
Immelaghmore 4 pl'ds	16	00	00
Coume 2 pl'ds	14	00	00
Sosso 2 pl'ds	07	00	00
Formoyle two pl'ds and 8 gneeves	26	10	00
Killiruagh one pl'd	04	00	00
In all	£120	10	00

	£	s.	d.
Dromud Parish			
Murriagh and Spunekane 2 pl'ds	10	00	00
Cahir Parish			
Carhen 4 pl'ds	18	00	00
Clighanelynighane 2 pl'ds	14	00	00
Coumeiegothew-east 2 pl'ds	09	00	00
In all	£51	00	00
Killennane Parish			
Ballenehaw 2 pl'ds	13	00	00
Durrienmorie and Cuoslirdaha 2 pl'ds and	17	00	00
Tireomoyles and Cahirleten 4 pl'ds and a halfe	26	00	00
Corrigh 2 pl'ds	12	00	00
Killognaune two p'lands	12	00	00
Gortenfonery halfe a pl'd	02	10	00
Cahirighterrush halfe pl'd	01	05	00
	£83	15	00
Glaunbeghy 16 pl'ds	£80	00	00
Dounkie Baro :—Cockane Parish			
Part of Coulmagort, Cullinagh and part of Cliddagh	15	00	00
Kippagh anneen one pl'd	8	00	00
Coulelohir 2 pl'ds Ballileddir one pl'd Killeuolaghta half a pl'd Aunegarry one pl'd	20	00	00
In all	£43	00	00

	£	s.	d.
Templenoe Parish			
Kippaghruo and Lackien 4 plowlands	52	00	00
Grienane two pl'ds	21	00	00
Kappenecossie 2 pl'ds	22	00	00
In all	95	00	00
Glaunoroghta Baro:			
Tuosista parrish containeinge 21 pl'ds	135	00	00
Neddeen 8 pl'ds	87	00	00
Killone 4 pl'ds	58	00	00
Droumagore 4 pld's	31	00	00
Cahir quarter	71	00	00
Curronor quarter	62	00	00
Ballegrieffen quarter	57	00	00
Bonnane 3 pl'ds and halfe	36	00	00
	£402	00	00

The refractories w'ch the gentlem' hath in his certificat and as he hath sett them.

Iverahigh Barro: Killennane Parish			
Sroegreany 2 pl'ds and Lishballyomihill 2 pl'ds	22	00	00
Cahir Parish.			
Clighane mac Quine 2 pld's	12	00	00
Killemmelagh Parish			
Raghkierane one pl'd and 4 gneeves	05	00	00
Cahir Parish			
Aghatubberid 4 pl ds	19	00	00
	£38	00	00
Dounkierane Barronie —Cnoghane parish			
Ardkintiurcke and Ardacluckien one pl'd and a halfe	12	00	00
Refractories in all	£70	00	00

	£	s.	d.
	096	15	00
	120	10	00
	051	00	00
	083	15	00
	080	00	00
	043	00	00
	095	00	00
Tuosista	135	00	00
In all	705	00	00
Glaunorughta	502	00	00
Refractorie	70	00	00

I have endeavoured to gett an exact account of each parcell of the gentleman's estate according as you writt me. I have alsoe sent a list of the refractories as he hath sett them him selfe, and other lands in Glaunoruoghta, besides Tuosista parish, whereof I cannott give an account of each parcell, but I am confident the part of Land betwixt him selfe and S^r^ George [Sir G. Carteret] is included. I shall endeavour by the next to give you a better account of that of Glaunoruoghta and tuosista. The rent is exact. M^r^ Robert O'Hassett is trubling our tennants dayly for nott goeing out of Coubogalighir to waitch to Killforreglin. With much adoe I have had a forbearance for a little while for nott sending them to Truly. I pray lett me know what to doe in itt by the next. I have casted up every parish by itt self, and the refractories by itt self, and have made an intire some of all, besides the refractories and that of Glaunoruoghta, w^ch^ is all. Prayinge the Almightie to preserve you and send you safe home, I remaine

S^r^

y : ob : S.

On the margin of the first page of this letter is written the following:—They may be included amoungst the rest. The K^t^ [Sir W. Petty's] servants, they doe nott refrayne from makinge use of S^r^ George Cattret's myines and woods dayly. He writes he will be over aginst february next. He allsoe writt that

the nominees, if any from them should come for rents of the Custod' land, should have onely the rents reserved by the exchequer uppon him. There is allsoe custodium land in Irragh, that w'ch M^r^ Raymonts had a Custod^m^ of, last yeare, w'ch is somethinge considerable, if itt could be joyned with ye other Custodium. Here following I sent you a list of the K. [Sir W. Petty's] Estate, and as itt is sett at present. verte

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LXXIII.

Debentures and acquittances concerning M'Gillycuddy's pension

[Dated December 1674]

DEBENTURE & acquittance for L^t^ Coll^el^ m^c^ Gillycuddy's pension, ending An'o 1674, remaining in the Auditor generall's office.

Debent' Coll' MagillyCuddy p' penecone sua., ad c^li^ p' an'u', ei vertute stabiliment' d'ni regis nunc Car' s'c'di concess' p' dimid' ann' finit' ad festum s'cti Mich'is, 1673. An'o Regis Car' s'c'di xxv^to^. Attingen' ad ——— L^li^

Intr' p' Jo: Sargeant, Dep^t^ Cl. Pell^s^

Hugh Normington Dep^t^ Aud^r^

Rec^d^ ye full Contents of ye within Debent' being l^li^

Rob^t^ Jones

Deb' Coll' MagullyCuddy p' penecone sua., ad C^li^ p an'u', ei virtute stabilim^t^ d'ni regis nunc Car' s'c'di concess' p' dimid' ann' finit' ad festum Paschæ 1674, an'o Regis Caroli s'c'di pr'd' xxvj^to^. Attingen ad ——— L^li^

Intr' p' Jo: Sargeant, Dep Cl. Pell^s^.

Ri: Chapell Dep^t^ Aud^r^

Rec^d^ ye Contents of ye within Deb^t^, being l^li^

Rob^t^ Jones

Deb' Coll' Magully Cuddy p' pencone sua, ad C^m p'an', ei virtute stabili d'ni Regis nunc Car' s'c'di concess', p' dimid' ann' finit' ad festum s'cti Mich'is, 1674, anno Regis Car' s'c'di xxvj^to. Attingen ad—— } L^li

Memorand' that a former Debent' hath beene given out for this time, w'ch is alleadged to be lost. Therefore care is to be had that double payment be not made.

Ri Chapell Dep^t Aud'.

Intr' p' Joh. Sargeant, Dep. C'l. Pell'.

Rec^d ye full Contents of ye within Debent' being l^li

Rob' Jones.

These agree with ye originall Debent^rs and Acquittances remaining in his Ma^tie's Aud' Generall's office as Vouchers to ye Accompt of ye Lord Ranelagh and partners, for six Months, end' the Last of December 1674.

LXXIV.

Statement of M'Gillycuddy's case laid before Viscount Ranelagh.

[Dated 1674]

There are three copies of this document, two of which are thus endorsed:—(No 1.) Coll^l Donogh mac Gulli cuddy's] case ab^t his arr^s of Quit[rent] & his Pension that there is due to him 300^l lack 35^l. (No 2) Coll' mac Gullicuddy's [case] before the L^d Vis^t [Ranelagh] that ye sum'e of 300^l of his pension [is] due, except 35^l p'd. 12^m of Jan'ry 1674.

A State of the case of Coll' Donogh mac Gullicuddy as it stands now before the Lord Ranalagh (vizt.)

That mountanous and barren lands, in the County of Keiry, in the poss'ion of the said Coll' as part of his antient estate, being lately charged by the Comm^rs of the Tre'ary with the yearely quitrent of £19 14^s 1^d and in arreare thereof for severall yeares, the said Lands being not worth neere the said

sum'e became waste, wherefore a Com[n] issued from the Exchequ[r] for valluеing the said lands, Whereupon returne was made that the same were yearely worth £2 3[s] 9[d] and noe more, as by Coppy of the said Com[con], now ready to bee produced, may appeare. Att w'ch rent S[r] William Petty agrees with the Com[rs] of ye Treasury, and procures a writt of Seizure; w'ch was, upon the said Coll[r] instance, suppressed by the Exchequ[r] as being the said Coll[r] inheritance and in his poss'ion. The Barrons then saying they doubted not the Com[rs] of the Tre'ary would be kind to him as to ye arreares, at ye yearley charge of 19[li] 14[s] 1[d], since the lands were by Com'ission found to bee realy worth noe more then £2 3[s] 9[d].

The Coll[r] offers to pay the arreares at the rate of the said returne, although the said lands were not in charge, and desires that what part of his pension shall remaine due to him after deduction at ye rate of £2 3[s] 9[d] may be paid him, and he noe further troubled for the arreares of £19 14[s] 1[d]; the yeares rent at that rate being more then the purchas of all the lands charged: which rent of £2 3[s] 9[d] he conceaves ought to be accepted from him as well as from S[r] William Petty.

Now soe it is that of 300[li] pension the said Coll received but 35[li], the remainder being stopt for the arreres at the rate of £19 14[s] 1[d] as aforesaid, as by a certificate from S[r] John Champante, ready to be produced, may appeare. The said Coll[r] did also sett forth, in a petic'on to his Ma[tie], that, by vertue of his Mat[s] Privy signet, he became poss'ed of his estate in the yeare 1661, and that afterwards the said estate was decreed to Sould[rs] by the Com[rs] of the Court of Claimes, of w'ch, by reason of the weight of the quitrent, they declyned to passe Lett[rs] Pattents; by meanes whereof the Coll[r] continueth his poss'ion, but the lands wast. Wherefore he prayed his Ma[tie] to grant him the quit rent. The contents whereof was refered to the L[d] Ranelagh to returne his oppinion to his Ma[tie], w'ch is not yet done by his Lordshipp.

Wherefore the Coll[r] offers to the L[d] Ranalagh's considerac'on, to be reported to his Ma[tie], his faithfull services and sufferings for his Ma[ts] at home and abroad: his great charge of wife and ten children, and alsoe his late service in appeareing against S[r] William Petty, by w'ch, as is well knowne to his Majestie in Councill, he preserved to his Ma[tie] ten thousand pounds, w'ch are and will grow due to his Ma[tie] from the said Petty, which none else but the said Coll[r] could make out at that time.

And therefore humbly conceaves that if his Ma^tie may be pleased to allow defaulcation upon acc^t of setleing the Coll' in his estate, the said Coll' hath saved much more to his Ma^tie then ye said defaulcation may come unto, in opposeing the said S^r William Petty, besides his merritts by suffering long imprisonments for his Ma^t, and receiveing desperate wounds, and the losse of many relations in his Ma^tie^s service.

LXXV.

Bond of Geoffry Connell & others.

[Date] 24 July 1675.

[Original]

[Endorsed] Geffry Connell's, Donough m^c Crohin, and Daniell m^c Eagane's bond to safe Cornelius m^c Gillycuddy harmeless.

Bee it knowen unto all men by these presents, that wee, Geffery Connell, Donnogh m^c Croghin, & Daniell m^c Egune, all in the County of Kierry, gents, doe hereby acknowledge and Confess ourselfes to be duely oweing & indebted unto Cornelius m^c Cullicuddy, of Carhubegge in the afforesaid County, gent^t, in the just & full sume of tenn pounds ster^g, curr^t money, to be paid unto ye said Cornelius m^c Cullicuddy, his executors, administrators, & assignes [at his or their] will & pleasure, to ye w^ch paym^t, well & truly to be made [and done] as afforesaid, wee, the said Geffery Connell, Donnogh Croghin, & Daniell doe hereby binde us, our heires, executors, & administrators, joyntly & severally, firmely by these presents. Wittnesse our hands & seales this 24 day of Jully 1675.

Whereas, before the perfecting heereof, the above named Cornelius m^c Cullicoddy signed & sealed two severall specialties, as security for y^e above bounden Geffery Connell to Gregory Rice of Trally, the one for the delivery of three tuns of timber in Dingle, by the first of September next, the other for the delivery of Six hundred foote oacke-boords, at the affore said time & place.

The Condic'on therefore of the above obligation is such, that if the above bounden Geffery Connell, his heires or assignes, doe indemnifie, & save harmelesse, him, the aforenamed Cornelius m^c Cullicoddy, from any losse or

damadge as to the said bills, past to Gregory Rice for the delivery of y^e^ above named timber & boords, then the above named obligation to be voyde & of noe effect; otherwise the same to remayne in full force & vertue in law.

Geffrey Connell (seal)
Donogh m^c^ Crohon (seal)
Daniell m^c^ Egane (seal)

Being present att ye signing & sealeing & Delivering hereof we whose names ensue

Owen Crohon
Ricard Conner
Ricard Connell

LXXVI.

Thomas Skiddy's bond.

[Dated 3 November 1675]

[Original]

This bill byndeth me, Thomas Skyddy, of Logh-towne, in the County of Kiery, merchant, my executors & Administrators, firmely by these p'sents, to pay unto Cnochor m^c^ Gullicoddy, his executors, Administrators, or assignes, the just & full Sume two pounds two shill^s^ & six pence, ster^l^, Currant money of and in England, att or upon the . . . . . one thousand barrell staves, one thousand three hundred . . . . . & foure hundred Deeve staves, w'ch, by bond under his hand & seale, bearing equall date with this, he is to deliver me, the said thomas, or my assignes, att the usuall loading place of y^e^ River Carrigh, att or before the first day of May next ensueing the date heereof. In wittness whereof, I have heereunto set my hand & seal the third day of November, one thousand six hundred seaventy & five

Tho: Skiddy (seal)

Signed sealed & delivered
in our presence

Matt Moriarty
Marcus Groome

LXXVII.

Certificate of arrears of Quitrent due on M^cGillycuddy's lands in the County of Kerry.

[Dated November 1675]

The charge on Coll^r m^cGillycuddy's lands from M^r Cudmore in 9^ber 1675.

Com^r Kerry. Arr^s upon Inocent Papists.

Collonell Magilly-Cuddy, rent of the landes of Keunehownes cont^r 240^a 3^r 39^p, at lxxiiij^s ij^d ob p^r ann^r. Of the same, cont^r 406^a 2^r 16^p at vj^li iij^s vj^d p^r ann^r. Of the same, cont^r 56^a 0^r 6^p at xv^s ij^d p^r ann^r. Ardlaghas & Banclowne, two pl^ds, cont^r 600^a 0^r 26^p, at ix^li ij^s iij^s p^r ann^r, for three yeares End^r at Mich^as. 1678, oweth	lix^li ij iiij^d ob

P. Cudmore.

LXXVIII.

Affidavit of M^cGillycuddy concerning his lands in Kerry.

[Dated 12 December 1675]

[Endorsed] Don: m^c Gullycudye's aff^t touching his Lands in Kiery.

Donnogh m^c Gillycuddy, Esq^r, Deposeth, That he is in the quiet and peaceable poss^ion of the Tounes and Lands of Carewnahones, Banecloune, and Ardlaghas, lying and being in the Barony of Dunkerane, in the County of Kiery, and hath beene continually in the possession thereof, by himselfe and his Tennants, ever since the moneth of August one thousand six hundred

sixtie and one, and that the said Townes and Lands are of his antient Inheritance, and that in the yeare 1661 aforesaid, he, this Depo^t, obtained his ma^tie^s Gratious letters under his Privy Signett and Signe manuall, to be restored to his, this Depo^t^s, antient estate, a copie whereof the Depo^t hath ready to be produced. He further deposeth that the Lands aforesaid were not Decreed or adiudged to any other p^son, in the late Court of Claymes, or otherwise that this Depo^t ever heard of; untill, about fourteene dayes agoe, he the Dep^t saw the said Lands incerted or named in a list or p^ticular, given in (as he is enformed) by the ffarm^rs or Com^rs of the Revenew, or some of them or their agents, into his Ma^ts Court of Exchequ^r, amongst other Lands, in order (as he is enformed) to be granted in Custod' or seised upon. He allsoe deposeth that the Depo^t knoweth not of any Indictm^ts, outlaryes, or attainder, or any other Guilt, that may render him incapable of enjoyeing his said Antient propriety, as a free and Loyall Subjict to his ma^ty; his loyalty services and Sufferings being specified in his Ma^tie said letters.

Jur^ coram me 12° die Decem^rs 1675

Rich: Kennedy.

LXXIX.

Letter from the Privy Council in England to the Lord Lieutenant of Ireland, in favor of M'Gillycuddy.

[Dated 28 June 1676]

[Endorsed] A copie of his Ma^tie^s privie councell's of England letter to the Lord Lietenant, in MacGillycuddy's behalfe.

After our verie heartie recomendations to y^r Lo^p. The petition of Leuten^t Colonell Donogh Macgillycuddy haveing ben this day read before his Ma^tie in councill, setting forth that in consideracion of his Loyalty and lounge

and faithfull services and sufferings, he obteined his Ma^ties^ letters of the 18^th^ of Aprill, 1661, for restoreing him to his ancient estate in Ireland, and thereupon got into the possession therof, w^ch^ he quietly enioyed untill the year 1664, when, by the contrivance of S^r^ William Petty and others, the greatest part of his estate was given away from him, and the least share, consisting most of mountainous and unprofitable land, he still enioyed. That upon a late petition to his Ma^tie^ for a reducement of the quitrents of the lands of Kathmahones, Ardlaghis, Banchuone & Shanderries, with the lands of Aulogh & Shanicashell, under severall denominations, commonly called thirtiefive cowes grasse, being of the pett^rs^ ancient estate, & most of them decreed to him in the late coorte of claymes, & the remaine neather seised or sequestred, all of them barren and mountainous, it was ordered that the pet^r^ should answer out of those lands the fourth part of the vallew of the same. Wherefore humbly praying his Ma^tie^ to grant his Royall letters for passeing the said lands into letters pattents unto him & his heires, reserveing to his Ma^tie^ the fourth part of the vallew thereof, His Ma^tie^ hath thought fit to recomend the said Leuten^t^ Col^l^ Macgillycuddy unto y^r^ Lo^ps^, and that his pett^n^ & requeste be taken into consideration by y^r^ Lo^ps^, and that yo^r^ Lo^ps^ doe affood him such releef, both as to the abatement of his quitrents & the patent desired, as the merits of his Cause & sufferings doe deserve, & as may consist with the present rules and directions that are given for thinges of this nature, which by his Ma^tie^'s comaunde we signifie unto yo^r^ Lo^ps^. And remaine, from the Court at Whitehall, the 28^th^ day of June, 1676,

yo^r^ Lo^ps^ very loveing frends

LINDSEY. LAUDERDALE. CRAVEN

Peter boton.

LXXX.

M^cGillycuddy's application to the Lord Lieutenant for letters patent of his estate, with his Excellency's order thereupon.

[Dated in 1676]

To his Excel^l Arthur, E^l of Essex, L^d L^t G'rall, and G'r^l Gov^r of Ireland.

The humble Pet^n of L^r Coll' Donogh mac Gillicuddie.

Most humbly sheweth, —

That by a L're, directed to yo^r Ex'cie from the Lords of his Ma^{ties} Privy Councill in England, dated from the Court at Whitehall the 28th of June 1676, thereby setting forth that yo^r Pet^r, in considerac'on of his Loyalty and long and faythfull services and sufferings, obtained his Ma^{ties} L^rs of the 18^th of Aprill 1661 for restoreing him to his auntient Estate in this Kingdome; and thereupon had gott into possession thereof. But that the most part thereof was since disposed of to others, & the least share thereof, consisting of Mountaines and unprofitable lands, he still enjoyed. And that upon a late Pet^n of his, the said Donogh m'Gillicuddy, to his Ma^{tie} for the reducem^t of the Quitt-rent of the lands of Karrunahones, Ardlaghis, Banechone, and Shanderryes, w^th the lands of Aulogh and Shanicashell, under severall Denominac'ons, comonly called thirtyfive Cowes grasse, being all of the s^d pet^rs auntient Estate, and most part thereoff never seized or sequestred— And praying his Ma^{tie} to grant his Royall L^r for passing the said lands in L^n Pattents to him and his heires, reserveing to his Ma^{tie} the fourth part of the vallue of the same. The said L^ds of his Majestie's Privy Council, by his Ma^{ties} Comand, thought fitt to recomend unto y^r Ex'cie the pet^r, and his pet^n, and requeste, to be taken into considerac'on by y^r Ex'cie, & that y^r Ex'cie should afford him such relieffe, as to the abatem^t of his Quitt-rent, and the pattent desired, as the meritt of his Cause and sufferings doe deserve, & may consist with the p'sent Rules and direccons that are given for thinges of this nature. That yo^r pet^r hath p'sented the s^d Letter to your Ex'cie, and, as he was advised, [did] claime the benefitt thereof [before your] Ex'cie and the rest of the Com^rs for redreesse of Quitt-rents, and obtained your orders for reducing the Quitt-rent of the said lands, in all thirty pounds seaven shillings five pence

farthing, to the sume of Tenn pounds eight shillings yearely, as by the Certificate from yo^r Ex'cie and the rest of the s^d Com^rs may appeare.

The premises tenderly considered, yo^r Pet^r most humbly prayes yo^r Ex'cie, in considera'con of y^r peticon^r faythfull services to his Ma^tie, both at home and abroad, to grant your Orders to his Ma^ties Atturney G'rall, or Sollicitor G'rall, to draw up a Fiant for your Excellencie's signature, in order to passe the said lands in Pattent, under the great seale of this Kingdome, to yo^r pet^r & his heires, att the said yearely Rent of Tenn pounds eight shillings being the Reduced Rent pursuant to the said Certificate

And your Pet^r will ever pray &c

Ref^ce to Kings Councell.

Dublin Castle June 19 1677

Wee require his Ma^ts Attorney & Sollicito^r Gen^ll or either of them to consider of the Contents of the within Petic'on & to Report unto us what they or either of them conceive fitt to be don therein

ESSEX

LXXXI.

Letter from Sir George Carteret to M^cGillycuddy requesting information concerning Sir W. Petty's proceedings.

[Dated 11 September 1677]

[Original]

[Addressed] To Col^l Macgilly Cuddy at
Carhubeg —— neare Trale in the
County of
Kerry
in
Ireland

Post paid to Dublin 6^d

S^r

ABOUT two moneths since I received a letter from you, intimateing that you had not then Executed the Comission for Examining of witnesses at Kerry, but hope erre this it is done, and the Examinac'ons p'fected. Of all

which I should be very glad to receive an acco[t] by a line or two from you, as also what you heare of S[r] William Petty's proceedings, and what else you know relateing to that affaire; it being time now to bring the same to some issue. I therefore desire yo[r] utmost endeavo[rs] herein to dispatch the same, as also a line from you by the first opp[r]tunity, wherein you will oblige

S[r]

yo[r] humble servant

G. CARTERET

Whitehall
Sept 11[th]. 1677.

LXXXII.

Letters Patent from Charles II. for M'Gillycuddy's lands in Kerry.

[Dated 7 May 1678]

[Parchment. Original]

N.B.—The words between brackets [ ] have been supplied from the Inrolment in the Court of Chancery, by the kind permission of James Morrin, Esq.

CHARLES THE SECOND, BY THE GRACE OF GOD, OF ENGLAND, Scotland, ffrance & Ireland, King, defender of the faith, &c. To all to whome these p[r]sent shall come, Greeting. WHEREAS, upon reading the petic[on] of Lieu[t] Coll[r] Donough m[c] Gillicuddy before us in Councell, wee did thinke fitt, in considerac[on] of his loyalty, & long faithfull services & sufferings, by o[r] l[r]es of the eighteenth day of Aprill, one thousand six hundred & sixty one, to direct that he should be restored to his Auntient estate in o[r] said Kingdome of Ireland. And whereas y[e] said Donogh m[c] Gillicuddy was thereupon, by o[r] Com[rs] for executeing y[e] Act of Settlem[t] & Explanac[on], adjudged to be confirmed as a Letteree in y[e] sev[r]all lands, tenem[ts] & hereditam[ts] hereafter menc[on]ed, &

settled in the Actuall poss'ion thereof. And Whe: as, the said lands being very mountainous & unp'fitable, hee did afterwards humbly petic'on us for a reducem' of y^r Quittrents charged on y^e said lands which were soe letreed unto him, And that Wee shouldbe gratiously pleased to grant o^r Royal Lres for y^e passing y^e said lands in Fres patent unto him & his heires, reserveing onely a fourth p't of y^e vallue thereof unto us, o^r heires & successors. All which the [lords of o^r] privy Councell of England did, by o^r comand, by their Fres bearing date, the Court att Whitehall, y^e eight & twentieth day of June, one thousand six hundred & seaventy six, recomend to our Right trusty & welbeloved Cozin & Councellor, Arthur, Earle of Essex, o^r late Leiu^t gen'all & gen'all Governor of o^r said Kingdome of Ireland, & to o^r cheiffe Governor there for ye tyme being. And that they should afford y^e said Leiu^t Coll' m^c Gilleeuddy such releiffe, both [to the abatem^t] of his quittrents, and granting of Fres pattent, as [was desired]. Whereas the said Leiu^t Coll' m^c Gilliecuddy thereupon p'ferred his petic'on unto y^e said Arthur, Earle of Essex, o^r late Leiu^t Gen'all of o^r said Kingdome of Ireland, & unto o^r right trusty & right well beloved [Councillor Michael, Lord Archbishop of Dublin our Chancellor of our said Kindome of Ireland, Sir Charles Meredith, Kn^t, Chancellor of our Exchequer there, and Sir Robert] Booth, Kn^t, o^r Cheiffe Justice of o^r Court of Comon Pleas, in o^r said Kingdome of Ireland, o^r late Com^rs appointed & Impowered by o^r Comission, under o^r greate seale of Ireland, bearing date y^e eight & twentieth day of June, in y^e yeare of o^r Lord one thousand six hundred & seaventy six, for reduceing & abateing of Quittrent & the arrcares thereof, setting forth that the lands of Carhunahowes, Ardlaghis, Banecluone & Shandarryes, conteyning in all two thousand acres, plantation measure, in the Barony of Dunkieran, in o^r County of Kerry, are his Auntient Estate & now Inioyed by him, and that y^e same are verry course and barren mountaine lands, and that y^e yearly quitt rent thereof according to y^e rates [Imposed thereon by y^e Act of Sett]lem^t & Explanac'on (which is three pence for every English statute acre in y^e p'vince of Munster) doth amount to thirty pounds seaven shillings five pence farthing p' Ann', and that y^e yearly vallue thereof, by y^e civill Survey, did amount to y^e sum of twenty eight [pounds four shillings & noe] more, & prayed a reducem^t of y^e said [new] quittrent payable to us thereout, and upon hearing of y^e said petic'on, & Examinac'on of Wittnesses upon Oath concerning y^e yeady vallue of y^e said lands, Itt appeared unto o^r said

late Com^rs that y^e afores'd lands are [soe course & barren], that they are not suffitient to answeare y^e said Quittrent, Arreares of Quittrent, & other charges, due thereout, and that the said rent doth neare, or altogether, amount unto y^e yearly vallue of y^e said lands:—And that y^e said lands, being in y^e p'vince of Munster, are of y^e yearly vallue of nyne pence p' acre, Irish plantation measure, and that it was therefore thereupon thought fitt, & accordingly ordered, by o^r said late Com^rs, by their Order bearing date y^e twentyeth day of March in y^e yeare of o^r Lord god, one thousand six hundred & seaventy six, that y^e afores'd Donogh m^c Gillienddy, his heires & assignes, should bee abated y^e sum'e of nynteene pounds nyne shillings, & five pence farthing, p' Ann', of y^e s'd yearly rent of thirty pounds seaven shillings five pence farthing, payable unto us out of y^e s'd lands, allsoe that y^e said Donogh m^c Gillicuddy his heires & assignes, shall pay unto us, o^r heires & successors, the yearly rent of tenn pounds eight shillings ster'. & noe other rent, out of s'd lands, from the twentyeth day of March, one thousand six hundred seaventy six, as by y^e said order of y^e said late Com^rs, under their hands & seales, doth more att large appeare. KNOW ye therefore, that wee, of o^r esp'iall grace certayne knowlegde & meere motion, by and with y^e advice & consent of o^r right trusty & right entirely beloved Cozin & Counciller, James, Duke of Ormond, o^r leiu^t gen'all, & gen'all governor of o^r said Kingdome of Ireland, according to y^e tenor & effect of y^e afores'd l'rs from y^e lords of o^r privy Councell of England, bearing date y^e eight & twentyeth day of June, one thous'd six hundred seaventy six, and according to y^e order of o^r said late Com^rs for reduceing of y^e s'd Quittrent, Inrolled in o^r Court of Exchequer att Dublin, Have given granted & confirmed & by these p'sents, for Us, & o^r heires & successors, Wee doe give grant, & confirme, unto y^e said Donogh m^c Gillicuddy, the [severall] lands, tenem^ts & hereditam^ts hereafter menc'oned, that is to say, Carrownahones, two plol'ds and two hundred & forty acres three roods & thirty nyne p'ches; more of y^e [same, foure] hundred fifty six acres two roods & sixteene p'ches; Ardlaghis & Banecluone [six hundred] acres & twenty six p'ches:—In Shandury, Seaven hundred & two acres thirty five p'ches; Amounting in y^e whole to two thousand acres of land. And are situate, lying and being, in y^e Barony of Dunkeron in y^e said County of Kerry & were adiudged to bee confirmed to y^e said Donogh m^c Gillicuddy, as a letteree, by o^r late Com^rs for executeing y^e s'd Acts of Settlem^t & explanation, together with y^e reverc'on

& reversions, & remainder of all & Si[n]gular ye afores'd p'mises & of all & singular y^e^ Castles, messuages, villages, mills, tofts, houses, Cottages, bawnes, buildings, barnes, Stables, orchards, gardens,] lands, tenem^ts^, woods, underwoods, meadowes, pastures, [feedings,] turbary, furze, heathes, boggs, loughes, [mountaines,] moores, marshes, [Wayes, Wasts, Waters, Water-]courses, fisheing-weares, quarries, [duties, services & all & singular p'fitts] comodityes, rights, [privileges, jurisdictions, and advantages] whatsoever, to the p'mises belonging, or in anywise ap'teyning, To HAVE, & to hold, all & singular y^e^ abovemenconed p'mises, with theire, and every of their, [rights, members, & appurtenances,] unto him, y^e^ said Lieu^t^ Coll^l^ Donogh m^c^ Gillicuddy, his heires & assignes, for ever, to the only use, benefit, & [behooffe] of him the said lieu^t^ Coll^l^ Donogh m^c^Gillicuddy, his heires & assignes, for evermore. — To be held of us, o^r^ heires & successors, as of o^r^ Castle of Dublin, in fee & comon Soccage, YEILDING & paying therefore & thereout, yearly unto us, o^r^ heires & Successors, [att y^e^ receipt of] o^r^ Exchequer, in o^r^ said Kingdome of Ireland, or to the hands of o^r^ [viectreasurer] or gen^r^all Receivor of the [Rents and Revenues of our] said Realme of Ireland, for the tyme being, from y^e^ said twentyeth day of March, one thousand six hundred seaventy six, the yearly rent of y^e^ sume of Tenn pounds, eight shillings, ster^l^, of y^e^ afores'd yearly rent of thirty pounds, seaven shillings, five pence farthing, ster^l^, & noe other or more, to bee paid unto us, o^r^ heires, & successors, at y^e^ ffeasts of S^t^ Michael y^e^ Archangell, & y^e^ Annuntiac'on of o^r^ lady S^t^ Mary y^e^ blessed virgin, halfe yearly, by even & equall porc'ons. AND further of o^r^ esp'iall grace, [certaine knowledge] & mere motion, by & with y^e^ advice & consent afores'd, & according to y^e^ tenor of y^e^ afores'd order of o^r^ said late Com^rs^ for reduceing of Quittrents, wee hereby, for us, o^r^ heires & successors, grant unto y^e^ said Donogh m^c^ Gillicuddy, his heires [& assignes that y^e^ aforesaid] yearly rent of thirty pounds seaven shillings five pence farthing, ster^l^, charged upon, & made payable to us, o^r^ heirs & successors, out of y^e^ aforesaid lands, by y^e^ afores'd Acts of Settlem^t^ & explanation [shall bee] from y^e^ said twentyeth day of March, in y^e^ said year, one thousand six hundred seaventy six, Reduced to the yearly rent of tenn pounds eight shillings, ster^l^, thereby reserved, as afores'd, which said yearly rent of tenn pounds eight shillings, ster^l^, and no other is to be paid to us, o^r^ heires & successors, for y^e^ aforesaid [lands in manner as aforesaid.] AND further of o^r^ like esp'iall grace, certayne knowledge,

& meere motion, by & with y^e^ advice & consent afores'd & according to y^e^ tenor & effect of the afores'd order of o^r^ said late Com^rs^ for Reduceing of Quittrents, wee will, & by these p'sents firmly enioyne, & [com'and as well the Treasurer] Chancellor, & Barrons of o^r^ Court of Exchequor in o^r^ said Kingdome of Ireland, for y^e^ tyme being, as alsoe all & singular other y^e^ receivors, auditors, officers, & ministers, & farmers of o^r^ revenues, in o^r^ said Kingdome of Ireland, for y^e^ tyme being, that they, & every of them, upon y^e^ onely shewing of these o^r^ l'res patent, or y^e^ Inrollm^t^ thereof, without plett or further charge or delay, make, or cause to bee made, a full & absolute discharge to y^e^ said Donogh m^c^ Gillicuddy, his heires & assignes, of all other rent w'soever, issueing, or to bee rendred or paid for or out of y^e^ p'misses, or any p't thereof, by y^e^ afores'd Act of Settlem^t^ & Explanac'on, or either of them, except y^e^ aforesaid rent of tenn pounds, eight shillings, ster', p' Ann', for y^e^ p'misses in these p'sents mencioned, to us, o^r^ heires & successors, reserved as payable from y^e^ said twentyeth day of March, one thousand six hundred seaventy six, in manner afores'd. And further of o^r^ esp'iall grace, certayne knowledge, & meere moc'on, by & with y^e^ advice & consent aforesaid, wee doe by these p'sents, for us o^r^ heires & successors, grant unto y^e^ said Donogh m^c^ Gillicuddy, his heires & assignes, that these l'res patent, & every clause, sentence & Article, therein conteyned, [or the Inrollment] thereof shall [bee in all & every thing & things] firme, good, valid, suffitient & effectuall in y^e^ law, unto him y^e^ said Donogh m^c^Gilliecuddy, his heires & assignes, against us, o^r^ heires & Successors, to all Intents & p'poses w'soever, as well in all o^r^ Courts [within our said Realme of] Ireland as elsewhere [wheresoever], according to y^e^ p'pose & tenor of y^e^ afores'd Act, without any other [confirmation, lycence,] or tollerac'on, from us, o^r^ heires or Successors, by y^e^ said Donogh m^c^Gilliecuddy, his heires or assignes, to bee had for ever or obteyned. And alsoe that these o^r^ l'res patent, with all & singuler y^e^ articles & clauses therein conteyned, & [specified, as well in sense, Intention, & meaning, as] in words, shalbe construed & Interp'ted, to y^e^ best advantage, benefitt, & behoofe of him y^e^ said Donogh m^c^ Gilliecuddy, his heires & assignes [as well in all the Courts] of us, o^r^ heires & successors, within o^r^ said Kingdome of Ireland, [as elsewhere wheresoever] according to y^e^ tenor & effect of y^e^ afores'd acts, & of y^e^ order of o^r^ Lieu^t^ gen'all of o^r^ said Kingdome of Ireland, bearing date y^e^ nynth day of Aprill one thousand six hundred [and sixtie six, made upon the

humble addresse[s] of o[r] late Com[rs] for executeing y[e] s[d] Act, now Inrolled in y[e] Rolls of the high Court of Chancery, in o[r] said Kingdome of Ireland, & shall alsoe bee construed & Interp[te]d in as favorable [benigne] & gratious manner & forme as [they may bee for the] benefitt of y[e] same Donogh m[c] Gilliecuddy, his heires & assignes, without any obiec[c]on, or exception whatsoever: NOTWITHSTANDING y[e] not nameing, or ill nameing, ill recyting or not recyting, in these p[r]nts, the p[r]mises or any p[r]t or p[r]cell thereof, or [the County, Barony, P[r]ish or place, wherein y[e] p[r]misses, or any p[r]te thereof, doe [lye]. AND notwithstanding that of y[e] names of y[r] ffarm[rs], tenants, occupiers, or form[r] p[r]rictors, of y[e] p[r]mises or any p[r]t thereof, there is not any true or [certayned] men[c]on made in these our Letters patent. And notwithstanding any defect in y[r] certainety, computa[c]on, or declara[c]on, of y[r] true yearly vallue or quantity of y[e] p[r]misses, or any p[r]t thereof, or in not nameing, or not recyting, y[e] nature, kind, quality or quantity of the p[r]misses, or any p[r]te thereof: AND notwithstanding the not fynding or ill fyndind, not returning or ill returning of any office, or Inquisition of y[e] said p[r]misses, or any p[r]t or p[r]cell thereof, by w[ch] o[r] tytle should have been found before y[e] making of these o[r] Lres patent, AND notwithstanding the not recytall or miss recytall of any form[r] guift, grant, demise, or lease, made of y[e] p[r]misses or any p[r]te thereof, AND notwithstanding y[e] not recytall, or miss recytall, of o[r] Right, tytle, or Interest, in or to y[e] p[r]misses, or any p[r]te thereof, AND notwithstanding [one statute, &c.] as lyinricke, in a[n] p[r]lyam[t] there holden, in y[e] three & thirtyeth yeare of y[e] Raigne of o[r] Royall [Predecessor King Henry the Eight], Intituled an Act for lands given by y[e] King; AND notwithstanding any other statute, act, ordinance, p[r]vision, or restri[c]on, or any other cause, matter, or defect, w[h]soever to y[e] En[r]vacon, Evacua[c]on, or Annihilac[c]on of these o[r] Lres patent. PROVIDED that these o[r] Lres patent bee Inrolled in y[e] Rolls of o[r] High Court of Chancery, in o[r] said Kingdome of Ireland, within the space of sixty days next ensueing the date of these p[r]nts. Although noe express men[c]on be made of y[r] true yearly vallue of all or any of y[e] p[r]misses, or of any Guift or Grant heretofore made by us or any of o[r] P[r]genitors unto y[e] said lieu[t] Coll[o] Donogh m[c] Gilliecuddy, any statute, p[r]vision, or restri[c]on, or any other cause, matter, act, ordinance, or thing, w[h]soever, to y[e] contrary here of in any wise notwithstanding. IN WITTNESS whereof we have caused these o[r] Lres [to be made] patent. [Witness our] aforesaid lieu[t] Gen[r]all, & gen[r]all

Governor of o^r^ said Kingdome of Ireland, att Dublin the seaventh day of May, In ye thirtyeth yeare of o^r^ Raigne.

DOMVILE

Exam^d^ p' Walter Banbury Dep. C^k^. Hanap' Irrot' in Rotulis Patent' Cancellar' hib'nie Decimo quinto die Julii, anno Regni Regis Caroli Secundi, Tricesimo; et examinatur per Andr: Ram Cleric' in offic' Mag'r' Rot'. Intrat' in Officio Auditor' gen' hib'nie decimo sexto die Novembris anno R R^i^, xxx°; annoque Dom' 1678.

Ri: Chapell Dep. Aud^r^.

LXXXIII.

M'Carthy-more's bond, passed to Cornelius M'Gillycuddy to secure payment of £200 from the Marquess of Antrim, as part of the marriage portion of Ellish M'Carthy wife of Cornelius M'Gillycuddy.

[Dated 23 October 1678.]

[Original]

KNOW all men by these p'sents, that I, Charles m^c^Carthymore, of Droumlumper, in the County of Kerry, Esq, doe hereby acknowledge and confess my selfe, my heirs, executors, administrators and assigns, to be justly oweing and endebted unto Cornelius mac Gyllycuddy, of Carrewbegg, in the County aforesaid, gent', in the iust and full sum of four hundred pounds, ster', Good and lawfull currantt mony of and in England, to be paid unto the said Cornelius m^c^Gyllycuddy, his heirs or assigns, att his or their will and pleasure, to y^e^ w'ch payment, well and truely to be made and done in manner as afforesd, I the said Charles m^c^Carthy doe hereby bind me, my heirs executors administrators and assigns, firmly by these p'sents. In wittness whereof, I have hereunto sett my hand, and fixed my seale, this 23^d^ day of 8^br^ 1678.

The condic'on of the above obligation is such, that if y^e^ right honorable Randoll, Marquess of Antrim, doe pay or cause to be payd unto the above named Cornelius m^c^Gyllycuddy, his heirs, executors, administrators, or assigns, the iust and full sum of two hundred pound, ster', att, on, or before the first day of May next ensueing the date hereof, w'ch summ of two hundred pound ster'

are assigned over uppon the aforesaid Randoll, Marquess of Antrim, by the above bounden Charles m'Carthy more, as parte of the marriage portion given by the said Charles m'Carthy with his sister Ellish m'Carthy, unto the said Cornelius m'Gillycuddy, that then the above obligation is to be voyd and of noe effecte, otherwise to stand, remayn, and be in full force, strength and vertue in law.

Signed Charles Carthy (seal)

Signed sealed and Delivered in the p'sence of us

Michaell Gallwey.
Tym. Sulevane.
Thomas Leddy.

LXXXIV.

Cornelius M'Gillycuddy's Bond to Wm. Muschamp and Daniel Burgesse.

[Dated 29 August 1678]

[Original]

Know all men by these presents that I, Cornelius m'Gillycuddy, of Carhuebegge, in y^e^ Barrony of Doonekerran, in the County of Kierry, gent', doe stand, and hould ourselves firmly bound and indebted unto W^m^ Muschamp and Daniel Burgesse, of the City of Dublin, Esq^r^, in the iust and full sum'e of Twenty six pounds, ster', to be paid unto the said W^m^ Muschamp and Daniell Burgesse or either of y^m^, or the heires, Executors, adm^rs^ or assignes of any or either of them, at their or either of their will and pleasure, to the w^ch^ paym^t^ well and truly to be made and done in manner and forme as aforesaid; I the said Cornelius m'Gillycuddy doe hereby bind us, our heires, Executors, and adm^rs^, joyntly and severally, firmly by these presents, sealed with our seales. Dated the xxix^th^ day of August 1678.

The Condic'on of the above obligac'on is such that if the above bounden Cornelius m'Gillycuddy, his heires, Executors, adm^rs^ or assignes, or any of them, shall and will, well and truly, pay or cause to be paid, unto the above

named W^m^ Muschamp and Daniell Burgesse, their heires executors adm^rs^ or assignees, the sum'e of six pounds ten shillings, ster', at or uppon the first day of November next ensueing, or w^th^in fourteene days after, and alsoe the like sum'e of six pounds ten shillings, ster', at or uppon the sixteenth day of May following and ensueing the date hereof, or w^th^in fourteene days after, at or in the dweling house of Henry Traut, situated and being in Trady in the said county, as alsoe observe, p'forme, full fill and keep, all and every the Coven'ts, Condic'ons, reservac'ons and agreem^ts^ in one Indenture of Demise, bearing equall date with these presents, and made betweene the above named W^m^ Muschamp and Daniell Burgesse, of the one p'te, and the above bounden Cornelius m'Gillycuddy on the other p'te, w^th^ on the p'te and behalfe of him the said Cornelius m'Gillycuddy, his heires, executors, adm^rs^ or assignees, ought to be observed, p'formed, fullfilled, and kept, that then the above obligac'on to be void, otherwise the same to be and remaine in full force and virtue in Law &c

Co: m'Gillycuddy (seal)

Row: Bateman
Jam: Connor
Bar: Nagle.

Whereas I, Cornelius m'Gillicuddy of Carhubegge, in the County of Kierry, gent', are become bound unto W^m^ Muschamp and Daniell Burgesse, of the Citty of Dublin, Esq^re^ in one bond of Twenty six pounds, ster', bearing equall date w^th^ these presents, Condicioned neverthelesse for the paym^t^ of Six pounds ten Shillings, ster', at or uppon the fifteenth day of November next ensueing the date hereof, and the like sum'e of Six pounds ten shill^s^ ster', at or uppon the first day of June following, as by the said bond and Condic'on thereof may app'e. Now know yee that I, the said Cornelius m'Gillycuddy, doe hereby authorise and Impower Rob^t^ Longfield, Jeremy Donnovan, and Jo^n^ Connor, gent', Attorneyes of his Ma'tie's Court of Excheq^r^ in Ireland, or any other Atturney of the said Courts, or any other Atturney of any other his Ma'tie's Courts in Ireland, to app'e for me the said Cornelius m'Gillycuddy, at any tyme or tearme after the said fifteenth day of November and the said first day of June following, and confesse one or more Judgm^t^ or Judgm^ts^ with release of Err^rs^ ag^st^ me the said [sic] uppon the said bond of

Twentysix pounds, ster', by *non sum Informatus*, *Nihil dicit*, or otherwise, and for your soe doeing this shall be yo' Warr'. Given und' my hand and seale this xxix^th^ day of August anno Dom', 1678

Co: m'Gillycuddy (seal)

Signed sealed and delivered in presence of us

Row: Bateman
Jam: Connor
Bar: Nagle.

LXXXV.

Bond of Messrs. Saunders, Perkins, and Barry for £1000.

[Dated 27 February 1679]

[Original]

[Endorsed] M' Sanders, perkens &c, their bond.

Noverit universi p' p'sntes, Nos Robertum Saunders, de Civitate Dublin. A'rum, Christopherum Perkins, de Clonolty in Com' Tipperary, A'rum, et Richum Barry, de Civit' Dublin predict', generum. Teneri et firmiter Obligari Cornelio M'Gillicuddy de Kearhubegge in Com' Kerry, generoso, in mille libris bone et leg'lis monet' Angl', solvend' eidem Cornelio m'Gillicuddy, aut suo certo Attornato, Heredibus, Executoribus vel Assignat' suis. Ad q^m^quidem solucionem, bene et fideliter faciend', obligamus nos, et utrumq' n'rum p' se, p' toto', et in solido. Heredes Execut' et Admin' nostros firmiter p'ntes Sigillis n'ris Sigillat'. Dat' vicesimo septimo die ffebruarii, anno Dom' 1679, annoq' R'i R's Caroli n'ri secundi &c, tricesimo secundo.

The Condic'on of the above obligac'on is such, that if the above bounden Robert Saunders, Christopher Perkins, and Richard Barry, their heires, Exec^rs^, Adm^rs^, and assignes, and every of them, Doe well and truly observe, p'forme, fullfill, keepe, and accomplish all and singuler the Covenants, Grants, Articles, clauses, Condic'ons and agreements whatsoever which on theire p'tes and behalfes are or ought to be observed, p'formed, fullfilled, and kept,

menc'oned and Comprised in Certaine Articles bearing equall date with these p'ntes; made betweene the above bounden Richard Barry of the first parte, and the above-named Cornelius m'Gillicuddy of the second p'te, and the above bounden Christopher Perkins of the third parte, and the above bounden Robert Sanders of the fourth p'te, according to the ten' and effect and true meaneing of the same Articles, that then the above obligac'on to be void, else to remaine in full force and vertue;

Ro: Saunders (seal)
Chr: Perkins (seal)
Ri: Barry (seal)

Signed sealed and delivered in the p'sence of us when ye word [Adm'] was interlined.

Will: Lake
Willm: Hobbs
Joseph Bennett

LXXXVI.

Letter from M'Gillycuddy to his Son.

[Dated 3 July 1679]

[Original]

Karhuheg 3' Julij 1679

Deare Son,

I writ yo" by the laste poste, but meeteing this convenience of m' Kennengton's goeing, I thought to acquainte yo" of som thinges I forgot; vid', to have a care of M' Bateman conserneing Castlemaine faire, although I writ yo" to speak to him for £10, which I hope you will make a shift to gett from som bodie, if not from him; and as for giveing yo' nag to M' Tomson, if it were but for fear of Castlemane faire, doe what you think fit, for you must understande that I must leave those thinges to yo' one iudgement. As for the parish of Dromod-el: if you can get it for six score per anum, take it, or if foreed, ten more, for it's set for more, &, if that faile, be parteer [particular

to ?] continew Mr Tomson yor frende. I forgot in my laste that the Com of the Coorte of Claymes, who were iudges of the acts of settlement, did refuse Sr William the reduced Collum, as well as the counsell of England afterwards. Discoorse busines with Capn Burges & the cheefe of the new fermours, as well as with Tomson. You must alwayes understand that the tenants of Dromod-eil must be free from the arears, as I writ you in my laste. Your wife is verie well & is com home, but goes againe when the people com from the mountaines. The bearer is in haste. My service to Mr Kenengton. God blesse you. I remayne yor father

Do: mcGillycuddy

LXXXVII.

Agreement for Timber.

[Dated 13 October 1679]

[Original]

[Endorsed] Artikles betwixt me and Mr. Huggett for Woode.

Articles of agreem^t, made and concluded by and betwixt Donogh mcGillycuddy, of Kearhubeg, in y^e County of Kerry, Esq, of y^e one p^te, and Richard Huggett, of Killalow, in y^e County of Clare, timber man, of y^e other p^te, y^e thirteenth day of October, 167 nyne, as followeth:—

Imp^is:—It is agreed and concluded upon by and betwixt y^e said p^ties, y^t the said Richard Huggett shall fall, carrie away, heiw, strip, and work, in y^e woods of the said Donogh m^c Gillycuddy called Taulagh, Gortnagaune, Kappingantanavally, Kippaghmore, Shanacossell, Comleteragh, and Connernabauntoun, y^e number of One thousand oak trees, (five score to y^e hundred) to be picked & choosed by him, y^e said Richard, or whome he shall apoint.

2^ndly:—That y^e said Richard, his heires, Ex^rs, Adm^rs, and assignes, shall have free Egress, regress, and ingresse, in & to y^e said woods, to fall, heiw, strip, work, and carry away, y^e said number of one thousand trees, without any let or molestac'on, for and dureing y^e terme and time of two yeares, to comence

from y^e^ first day of May next ensueing y^r^ date hereof, and noe lounger, but shalbe debarred and hindered (notwithstanding any thing herein contained, or any manner of pretence whatsoever grounded on y^e^ said agreem^t^) to make any further use of y^r^ said woods. Dureing w^ch^ time y^r^ said Richard, or workmen, shall be admitted to make to y^r^ number of four Cabins in any of y^r^ said woods, and y^e^ said Richard or assignes to be admitted y^e^ number of five Collups a peece to grase on y^r^ said lands, paying graseing thereout according to y^e^ Custome of y^r^ Country, and y^r^ said Richard is to have leave to build a Bark house in, or by, y^e^ said woods, with convenient ground thereto adjoining for cleveing his bark.

3^rdly^:—The said Richard, or his assignes, are to marke and chuse out what number of y^r^ said thousand trees, not worked, as afores'd, in y^e^ said woods, at or before y^e^ first day of [May] next ensueing y^r^ date hereof.

4^thly^ and Lastly:—It is agreed and concluded upon by and betweene y^e^ said parties, y^t^ y^e^ said Richard Huggett, his Ex^rs^, Adm^rs^, or assignes, shall deliver, satisfie, and pay unto y^e^ said Donogh m^c^Gillyeuddy ye sum^e^ of one hundred pounds, ster^l^, or to y^r^ heirs, Ex^rs^, Adm^rs^, or assignes, of y^r^ said Donogh, in two equal moyties, (vizt), y^e^ sum^l^ of fiftie pounds, ster^l^, at or upon y^e^ 25^th^ day of December next, and y^e^ sum^l^ of fiftie pounds, ster^l^, at or upon y^e^ first day of May w^ch^ willbe in y^e^ yeare of our Lord one thousand sixhundred eighty & one, at y^r^ new dwelling house of y^r^ said Donogh m^c^Gillyeuddy, at Kearlubeg. In wittnes whereof, y^e^ said p^t^ies have hereunto interchangeably put their hands & seales, y^e^ day & yeare first above written.

Do: M^c^Gillyeuddy Richard Huggett (seal)

Wittnesses present

fflor: Sullivane

his
ffra: + mead
mark

LXXXVIII.

Letter of Lieutenant Walter Brough.

[Dated 6 December 1679]

[Original]

[Endorsed] L^t Brough's letter, 6^s, xber /79

S^r

I HAVE here Riten to Ellexender Eger, and to Charles Coner, about the Runen The Line, and taken the porseson of ouer part of Donlow, as you may see by the sev'all Leters, and all sow for Egers kepen the porseson till furder orders, which you may tack down with you, if you have perfected yo^r Lese or artickells. I am ashured ouer Line will Ron nerer the montan by egert dell, then the bige ston, and sow to the lough. You will dow well to be kind to Coner, and git him well to consider how he Runes the Line befor he Cutes ground, that it may be most to ouer advantage. I shall not trobill you, furder then to wish you a good Gorney home, and then to present my services to yo^r good family and Ladey. Pray let her know what good advis I gave you, and how hard it was for me to kepe you within the bondes of bosis^s acordin to my promis, which is all at present from S^r

yo^r servant

Walt : Brough.

Baltrosney Desemb^r 6^th 79.

[Addressed] ffor M^r Connellus me Gillicuddy
at The Kinges hed in
fishshambell street
Dublin
These

LXXXIX.

Bond of John Mahony of Dromore.

[Dated April 1680]

[Original]

[Endorsed] John Mahony's Bond for 12li. April 1680.

Know all men by these prints, yt wee, Jon Mahony, of Dromore, and fflorence Sulevan, of Coolcloher, within ye County of Keirry, gentl, doe here bynd, and confesse ourselves to be duely oweing, and indebted, unto Richard Barry, of ye City of Dublin, gentl, & Cornelius m'Gillycuddy, of Kearhubeg, in ye County afores'd, gentl, in ye just and full sum of Twelve pounds, ster, good and lawfull monie of England, to be paid unto ye said Richard Barry & Cornelius m'Gillycuddy, their heires, Executors, Admrs, or assignes, at his or their will & pleasure, for ye true performance whereof, wee, ye afores Jon Mahony and fflorence Sulevane, doe hereby for us, and either of us, our heires, Exrs, & Admrs, joyntly and severally firmly by these prints, as witnes our handes & seales this last day of April 1680. And for default of paymt, accordinge ye true meaneing hereof, wee, ye afores John Mahony & fflorence Sulevan, doe hereby appoint and authorize Mr Jon Carr, Mr Jon Connor, Mr Jeremy Donavan, or any other Atturny of his Ma'tie's foure Courts in Dublin, to accept of a Declaracon ag' us, upon ye above obligacon, in any of the said Courts, and to acknowledge Judgmt thereupon, by *non sum informat*, *Nihil Dicit*, or otherwise. And for doeing whereof, this shalbe to them, or either of them, a sufficient Warrt. As wittnes our hands & Seales ye day & yeare above written.

Whereas ye above bounden John Mahony hath taken a lease from ye above named Richard Barry & Cornelius m'Gillycuddy, of ye Towne and lands of Dromloskie and Derrevarroe, in ye County of Keirry, for ye terme and space of three yeares, comenceing from ye 25th day of March, last past, for ye yearely rent of Six pounds, ster, as by a paire of Indented deeds, bearing date with these prints, Relacon thereunto beeing had, may appre. The Condicon of ye above obligacon is such, yt if ye above bounden John Mahony, his heires Exrs, Admrs, or assignes, shall well & truely performe, fullfill, observe, keep,

and accomplish, all and singular y^e^ Coven'ts, Condic'ons, & reservac'ons menc'oned & contained in y^e^ said Lease, w^ch^ on ye part and behalfe of y^e^ said John Mahony, his heires, Ex^rs^, Adm^rs^, or assignes, ought to bee observed, fullfilled, kept and performed, then y^e^ above obligac'on to be void & of noe effect, otherwise to stand & remaine in full force and vertue in Law

John Mahony (seal)
Flor: Sulevane (seal)

Sealed & delivered in y^e^ presence of
Flor: Sulevane
Tym: Sulevane

XC.

Another Bond of John Mahony.

[Dated 3 May 1680]

[Original]

[Endorsed] John Mahony's bond for 3^li^, ster', dat' 3^d^ May 1680.

I, JOHN MAHONY, of Dromore, within y^e^ County of Kerry, gentle', doe hereby promise to pay unto Cornelius m^c^ Gillicuddy, of Carnebeg, within y^e^ said County of Kerry, gent', and Richard Barry, of the Citty of Dublin, gentle', their Executors, Adm'rs, and Assignes, the sum of three pounds sterl', in two Equall p'cons, (viz) the first paym^t^ to Com'ence the first of November next after y^e^ date hereof, and the other paym^t^ att or before y^e^ first day of May, then Imediately following, w'ch sum is in Considerac'on of one halfe year's Rent due, or Claimeable to be due, out of Dromlosky and Derryvarra, unto y^e^ said Cornelius m^c^ Gillicuddy, and s'd Richard Barry, as due to y^e^ p'sent ffarm^rs^ of his Ma'tie's Revenue in Ireland, w'ch halfe yeare ends y^e^ twenty fift day of March last past. Witnes my hand & seal this third day of May 1680.

John Mahony (seal)

Present
fflor' Sulevane
Thomas Butler

XCI.

M^cGillycuddy's bond for the delivery of 10,000 *Hogshead Staves unto Christmass Smith, merchant.*

[Dated 20 August 1680]

[Original]

[Endorsed] M^r Cornelius m^c Gullicuddy, his bond for 10,000 of Hoggsh'd Staves.

NOVERINT universi p' p'sentes, me Cornelium m^cGullycuddy, de Carhubegg, in Comit' Kierry, Gener', teneri et firmiter obligari Christmasse Smith, de Traly, in Comit' p'dict', mercatori, in Cent' libris, ster', bonæ et legalis monetæ de et in Anglia, solvend' eidem Christmasse Smith, aut suo Certo Atturnato, executoribus, administratoribus, vel assignatis suis, vel ipsorum bene placit'; ad quam quidem solution', bene et fideliter faciend', obligo me, heredes, executores, et administratores meos firmiter p' presentes sigillo meo sigillat'. Dat' vicessimo die Augusti, Anno Dom'i milessimo sexcentessimo octuagessimo. 1680.

The Condic'on of y^e above obligac'on is such, that if y^e above bounden Cornelius m^cGullycuddy, his executors, Admo^rs, or assignes, or any of them, shall well & truely deliver, or cause to bee delivered, unto y^e above named Christmass Smith, his Executo^rs, Admo^rs, or assignes, att y^e house of David Hallyman, att Lughercannon, in y^e p'ish of Traly, w^th in y^e said County of Kierry, neere y^e sea shoare, the Just & full number of tenn thousand good merchantable & pickled *Hockshead* Staves, of att Least four inches in breath & three foote in Length, or the sum of Sixty pounds ster', value of them, att or before y^e first day of *December* next ensueing y^e Date hereof, w^thout any fraud, Coven, or further Delay, then y^e above obligac'on to be void & of none effect, or else to stand & remaine in full force & vigor in Law.

Co: m^cGillycuddy (seal)

Signed sealed & Delivered in presence of us after interlineing, in y^e above Condic'on, y^e word "hockshead" and after turning y^e word "November" into "December."

Robt Rice
Bar: Nagle

XCII.

Letter of Richard Thompson, Esq., of the Revenue.

[Dated 9 November 1680]

[Original]

[Endorsed]. M^r^ Thompson's letter 9°. no: 1680

Revenue Office Dublin 9^th^ Nov^r^. 1680

CORNELIUS/ Pray, upon sight hereof, faile not to send up to M^r^ Bradley, where yo^r^ horses stood, the monies due to him, w^ch^ he says is 18^s^ 6^d^, for he is in very great need of it & I have assured him he shall soon receive it.

I have fought yo^r^ Battle & foyled the Ku^t^ [Sir W. Petty ?] and made him cry & sobb in the open Co^rt^, as A schoolboy that had been whipt, w^ch^ afforded laughter enough for all the Co^rt^ & is the table talke & discourse of Coffee houses.

My humble service to my old Coll', and yo^r^ Lady, who if you have not already, or do not before the next Circuit get w^th^ child, you will force me to come to yo^r^ assistance, & in that & all things else to my power, I will approve myself,

yo^r^ faithfull, humble,
servant,

Rich^d^ Thompson

If my horse be lame dont send him.

[Addressed] These
To m^r^ Cornelius m^c^Gillycuddy
to be left with m^r^ Rob^t^ Rice
at
Traley

XCIII.

Licence for M'Gillycuddy to keep Firearms.

[Dated 12 August 1681]

[Original]

My Lord L^t his lysence for 2 firelockes, 12 August 1681

By the Lord [Lieutenant G'n'all and]
G'n'all Governour of Ireland.

ORMOND

WE hereby think fitt to [grant leave to] Collonell M'Guillycuddy of [Caruebegg in the County] of Kerry to keep two firelocks [for the defence] of his house, and we hereby [require . . .] Crosby, in whose hands the s^d [arms are] to deliver to him two firelocks. [Dated at] Kilkenny the 12^th day of [August 1681]

Coll. M^cGuillycuddy's licence for 2 firelocks

XCIV.

M'Gillycuddy's bond to John Anketell, of Farrihy.

[Dated 17 January 1682]

[Original]

[Endorsed] 17° Jan: 1862. Coll m^cGillicuddys bond, of £200, payable in May and November, 1684.

BEE it knowen unto all men by these presents, that I, Donogh m^cGillycuddy, of Kearhubeg, in the County of Kiery, Esq^r, doe acknoweledge and Confesse myselfe to be duely indebted unto John Anketell, of farihe, in the county of Limerick, Esqr in the just and full sum of *two* hundred pound, ster', good and Curr^t mony of England, to be payd unto the said John Anketill, his heires, Execut^rs, Admr^s, and assignes, att his or theire will and pleasure, to the w^ch paym^t well and truely to be made, and don, in manner and form[illegible] of this

I, the said Donough mᶜGillycuddy, do bind myselfe, my heires, Executorˢ, & Admrˢ, firmely, by these presents. In witnesse whereof I have hereunto putt my hand and seale the 17th day of January 1682.

Whereas there is a pension of one hundred pounds, ster', allowed and established unto the said Donogh mᶜGyllycuddy, yearly, during our soveraine lord the King's pleasure, to be received out of his maᵗⁱᵉˢ Excheq' of this Kingdome of Ireland, w'ch s'd pension the s'd Donogh mᶜGyllycuddy hath assigned and made over unto the s'd John Anketill, his heires, or Assignes, for the space of foure yeares commencing on the first day of November past last, that is in consideration of four hundred pounds ster', part of a mariadg portion, due & payable from the s'd Donogh mᶜGyllycuddy to the said John Anketill. And whereas it may happen by the death of the s'd Donogh mᶜGyllycuddy, or by any other meanes whatsoever, the s'd pension should be stoped or unpaid in the Excheq', and that the said John Anketill should not receave the same. The condition therefore of this obligation is such, that if one hundred pounds, ster', of the s'd pension be payed to the said John Anketill, his heires, or assignes, that is to say, fiftie pounds ster', on the first day of may w'ch shall bee in the yeere of our l'd God one thousand six hundred eighty and four, and fiftie pounds ster', on the first day of November, then next following in the same yeere, without fraude or deceite, that then this obligation shall be voide; otherwise the same to remaine in full force and vertue in law.

Do. mᶜGillycuddy

Being p'sent att the signeing sealing & delivery hereof, when the word two was interlined in the bond betweene the fourth and fifth line, wee whose names ensue

H. Stephenson
Dan Sullivan
Jᵃˢ Sullivan his mark +

XCV.

Letter of Francis Davis.

[Dated 30 March 1682]

[Original]

[Addressed] ffor Donogh m'Gillycuddy, Esq^r, at his house, at Kerhubeg, in the County of Kerrie.

Limericke the 30^th of March 1682

Honored S^r

by ord^r of Charles Porter, Esq^r, my master, I send this bearer George Graham to begin to fall & shipp in m^r Porter's woods, & to begin in Gurtragowne, I intreat y^t hee may have yo^r assistance y^t he may not suffer any wronge, for hee is a very honest serv^t, w'ch I have found some years. I have ordered him to agree for Carriadge of s'd Barke to the place I made choyce of, not doubtinge but you have purchased it. I shall allsoe be sending the staves w^th all speed possible to y^t place, for my master Expects a shipp loadinge of Timber & staves in a short time, & to y^t order I have agreed w^th workmen to square Timber, w^th men will be there next week. This week Will. Hirst has promised to be there, to oversee the work, & order it to sawyers and squarers. Pray, S^r, if there be any wont of monies to supply the workmen, advise me, & it shall bee ordered, for I have ordered a supply to be allways for y^t work. I hope Grubb is at his work, & y^t Hugh is carefull. Pray S^r my love to him: w^th my Humble service to y^r selfe & Lady, I remaine,

yo^r Humble serv^t,

ffrancis Davis

XCVI.

Protection granted by the Court of Exchequer to M'Gillycuddy against actions, suits and arrests, and signed by the Lord Chief Baron.

[Dated 4 January 1683]

[Original]

4° January 1683

Whereas, at the request of the present Com^rs and Managers of his Ma^tie's Revenues in Ireland, who had Occasion to make use of the Testimony of

Coll' Donogh M'Gillicuddy for his Ma^tie^s service, the protection of this Court was granted unto the said Coll' m'Gillicuddy on the fifth day of December last, to continue untill the eighth day of January Instant. Now at the request of the said Com^rs and Managers, praying that the said protection may be enlarged untill the first day of Aprill next, they haveing further Occasion to make use of the said Coll' m'Gillicuddy's Testimony as aforesaid;—Which being taken into Consideracon, It is ordered by the Court, that the said Protection be, and hereby is, accordingly enlarged, and that the said Coll' m'Gillicuddy be, and is hereby, further protected by this Court against all Civill acc'ons, suits, and arrests whatsoever, untill the first day of Aprill next ensueing the date hereof, whereof all persons concerned are to take Notice.

He: Hene

Ex' p' Ol: Grace. Dep Clk Rot'.

Int' in offic' c'vi' Theolon' civit' Dublin' 4° die Januar' 1683— Phil Croft

Intret' in offic' Vice-Comit' civit' Dublin quarto die January An'o D'ni 1683 p' W^m Cook.

XCVII.

Order of the Court of Exchequer, at request of Sir W. Petty, for a Survey of certain lands in Knockane parish.

[Dated 13 October 1683]

[Endorsed] Knockane lands—Coll^o m'Gillycuddye's . . . agst. Petty about Knockane lands. —— 13° Dec 1683 — Cur' Lay aside the Ord' for y^e Surveyor as to ye 21,032^a —— Chettwood.

Com' Kerry

xiij° die October 1683.

Upon moc'on of Councell with S^r William Petty, Kn^t, setting forth y^t a p'cell of lands, belonging to the Parish of Knockane, in y^e Barony of Dunkerran, in the said County, (granted to him by his Ma'tie's Lres Pattents) marked in y^e plott (21), & cont' 21,032^a, by the extreame columne of y^e Downe survey,

within w'ch surround are many p'cells of lands called cowesgrazings, p'te of y^e^ names whereof are menc'oned in y^e^ said Downe survey, & p'te omitted, and y^e^ lands named are undistinguished, & therefore prayed that a Survey might bee authorized to ascertaine & distinguishe y^e^ same, according to y^e^ said Downe Survey. W^ch^ being taken into Consideracion, and upon reading a pettic'on p'ferred by the said S^r^ W^m^ Petty,—It is ordered y^t^ the Surveior g'rall, or his Dep^ty^, doe Commissionate a Surveyor, to bee sworne before y^e^ R^t^ hon^ble^ the L^d^ cheife Baron, or any y^e^ Barons of this Court, to survey the said 21,032^a^, according to y^e^ Downe Survey, & y^t^ hee distinguish y^e^ sev'all denominac'ons menc'oned in y^e^ same according to their p'per meares & bounds, & y^t^ hee alsoe distinguish w^t^ other denominac'ons shall bee found to lye within y^e^ said surround of 21,032^a^, by their names, quantities, figure & situac'on, according to y^e^ said Survey, whereof the said Survey^r^ g'rall and all officers concerned are to take Notice.

He: Hene

Copia vera
Ex^r^ p' Dan. Forrest
Dep. Rem. Thes^r^ ———

CXVIII.

Order of the Court of Exchequer against James Waller who sought to obtain possession of the woods of Glancarragh, M'Gillycuddy's property.

[Dated 30 Nov. 1683]

Com' Kerry

xxx^o^ die Novembr' 1683

Whereas James Waller, Esq^r^, on y^e^ 13th of October, 1683, obteined an order requireing the Surveyor g'rall to Comissionate a Surveyor, to be sworne to survey 1990^a^ of timber woods in Glancarragh, according to y^e^ Downe survey, and to shew the Sherr' of y^e^ said County the meares and bounds thereof, accordingly to y^e^ ends hee might give poss'ion of y^e^ s'd lands, pursuant to y^e^ Injunc'on of this Court. Wherew^th^ Coll' Donogh m^c^Gillicuddy, being greived, by his Councell humbly moved the Court, setting forth y^t^ hee is in poss'ion of

the lands of Cooleageliher, called and knowne by the severall denominac'ons, hamletts, or Cousegraseings, of Shanacashell, Gortarolick, Aghaue, Cappaghmore, Cappaghasanavally, Gortnegavone, and Aulagh, lying and being in the Barony of Dunkeiran, & parish of Kilorglin, and County aforesaid, for above 20 yeares last past, as his ancient Estate, and y^t the same are noe p'te or p'cell of Lyrans & Glancarha Timberwoods, and that Sir William Petty Kn^t gave out y^t hee would bring them as p'te thereof, & further setting forth y^t the said lands of Lyran and Glencarra timber-woods were formerly the p'priety of o Sulivane more, and are distinct lands from y^e lands hee enjoyed as affores'd. Which being taken into considerac'on and upon reading the affid^t of y^e s'd Coll' m^cGillicuddy, It is ordered y^t y^e s'd James Waller have the poss'ion of noe more lands then the former Custodee had, unlesse hee shew cause tomorrow.

p' Cur'

Dan: Forrest
Dep. Rem. Tres.

XCIX.

Annulling of the Order for surveying certain lands in Knockane parish, because it had been obtained by Sir W. Petty from the Court of Exchequer by a surprise.

[Dated Michaelmas Term 1683]

[Endorsed] Tr°. Michaelis 1683. —— Order for Coll' m^cGillycuddy to make voide y^e Survey made by S^r William of y^e surround.

Com' Kerry

Ter'no S'ct Mich'is 1683.

Whereas by order of this Court of the xiii^th of October last, made on Moc'on of councell with S^r W^m Petty, Knight, setting forth that a p'cell of lands, belonging to the p'sh of Knockane, in the Barony of Dunkerane, and County aforesaid, granted to him by his Ma^tie's Letters pattents, marked in the Plott (21) and containing 21,032^a by the Extream Collum of the Down Survey, within which surround many p'cells of Lands called Cowgraseings, part of the names whereof are menc'oned in the said Down Survey, and part omitted, and the lands named are undistinguished, and therefore prayed that

a surveyor might be authorized to ascertain and distinguish the same according to the Down Survey. It was ordered that the Surveyor Generall or his Deputy should commissionate a Surveyor, to be sworne before the Right Hon^ble the Lord Chiefe Baron, or any the Barrons of this Court, to survey the said 21032^a^ according to the Down Survey, and to distinguish the several denomina'ons should be found to ley within the said surround of 21,032^a^, by their names, quantities, figure and situac'ons, according to the said survey. Now, upon moc'on of Councell with Coll' m Gillycuddy, setting forth that the said S^r^ W^m^ Petty is in possession of all the lands he ought to have by vertue of his letters pattents, and that, on pretence of the said order, the surveyor hath been surveyeing other persons' lands, which doe not belong to the said S^r^ William Petty, and therefore prayed that the said order, with all the proceedings thereon, might be made void, in regard the same was obtained by a surprize. Which the Court takeing into Considerac'on, and it appearing to the Court, upon full debate of this matter by councell on both sides, that the said order was obtained by a surprize as aforesaid :—It is ordered that the said order, of the xiii^th^ of October, with all and singular the proceedings thereon, be and is hereby annihilated and made void, whereof the said Surveyor g'rall and all other officers and p'sons concerned are to take Notice.

He: Hene

Copia vera
Ex' p' Dan: ffarest
Deput. Rem. Thes.

Entered in the Surveyor G'rall's office
Ant: Kelly

C.

Proceedings in the Court of Exchequer concerning M·Gillycuddy's Quit rent.

[Dated 3 February 1684]

Com Kerry

3° February 1684

Uppon moc'on of Councill, on behalf of S^r^ W^m^ Petty, Kn^t^, the heires of Coll' Henry Pretty, & Cap^n^ Benjamin Parry, Trustees for the 3 Regiments

Lott in the County of Kerry, and upon reading the affidav[t] of John Mahony gent', whereby it appears that Donnogh M'Gillicuddy, Esq', got in the Poss[n] of y[e] severall Lands hereafter menc'oned, on or about August 1661, vizt Part of Shanderry and Shilane, Gortnescarry, Cahir-Donnell-Iragh, Cahirdonnell more, Garraugh, Ballinecrnaghtane, Rahmore, Rah-Iragh, Braghearragh, Coade, Behehane Gawlane, Kappanrus, Scart, Listiconnor, Glanloghy under severall Denominac'ons, Eskytamane, Formoylenavgan, Inchecleehy, Derreenanvurrig, and Lamanagh, w'ch Lands the said Donnogh m'Gillicuddy and his under Tenants held & enjoyed, vizt :—Cap[n] Dan[ll] m' Gillicuddy, Cnogh' m'Gillicuddy, Donnogh m' Dermod, Cap[n] John Blackwell, Cap[n] Dermod Sullivan, Dermod m' Teige Gillicuddy and severall others, distinctly from An[o] 1661 untill about the 25[th] of March 1675. At w'ch time the said lands were seized by a Writt of seizure, and afterwards the said lands were enjoyed by the said Donnogh m'Gillicuddy and his Tenants, untill May 1680, at which time they were sett to tenants by Cnogh' m'Gillicuddy, by vertue of a Custodium granted of the same & other lands. Which lands were past to Coll' Henry Pretty, Cap[n] Benjamin Barry, and S' W[m] Petty, Kn', by the Com[rs] of the late Court of Claimes An[o] 1668, out of w'ch there was no Quitrent paid to his Ma'ty, or Rents paid to the said Coll' Pretty, &c, since the King's Restaurac'on to the year 1680. And therefore the said Trustees pray'd that the said Coll' Donnogh m'Gillicuddy might answ' the quitrents, due to his Ma'ty out of the said lands, dureing y[e] time they were enjoyed by him as aforesaid and that hee account for the Measne profitts for the said time. Which the Court takeing into Considerac'on,—It is ORDERED that time be given the said Coll' Donnogh m'Gillicuddy untill Tuesday next, to shew cause wherefore he should not answ' the said Quitrents to his Ma'ty, and acc[t] with the said Trustees for the measne Proffitts : that such further Order may be given as the Court shall direct.

p' Cur

Rich[d] : Barry

CI.

Application of James Waller to the Exchequer for a survey of Glancarragh, with the order of the Court thereupon.

[Dated June 1684]

[Endorsed] Gillycuddy ag^t^ Waller } Order to make a Surveyor

Served y^e^ 16^th^ of June 84

Jacobus Waller
v
Coll' Donnogh m^c^Gillicuddy

10 June 1684

Whereas by a former order of this Court, of the 10 May last, on behalfe of y^e^ said James Waller, Custodee of ye severall lands in the County of Keiry,—It was ordered that the names of some p'ticullar Surveyors should be brought to this Court, to the end ye Court might chuse a Surveyor, to goe downe and survey 1990^s^ timber woods of Glancarra, in the said County, and that S^r^ W^m^ Petty and m^c^Gillicuddy should use their Objec'ons ag^t^ such choice as the Court make, and whereas pursuant to the said order ye Deputy Surveyor Ge'rall gave in the names following, vizt;—John Humphreys, Roger Ekersly, Maurris Carroll & Denis Clark, as skilfull surveyors for ye Court's election of a p'ticular Surveyor as aforesaid. Now upon moc'on of Councell with ye said M^r^ Waller praying the Court would name any one of ye said Surveyors to goe downe and survey ye said lands, It is ordered that four days be given ye said m^c^ Gillicuddy to object the nameing of any of ye said p'sons and that he have a Coppie of ye said Surveyors' names.

p' Cur'

Rich: Barry

CII.

Permission for Cornelius M'Gillycuddy to use fallen Timber in certain woods in Kerry.

[Dated 1 July 1684]

[Endorsed] M^r^ Babe's Power to M^r^ Cornelius m^c^Gillycuddy for the fallen timber.

By vertue of an Ord^r^ to mee Directed from the Chief Com^rs^ and Governors of his Ma^tie's^ Revenues of Ireland, ordring that M^r^ Cornelius Magillicuddy should be p'mitted to use, and carry away, all the now fallen timber, in the woods belonging to the three Regiments, in the Barrony of Dunkerran & Glanorughly and County of Kerry. These are therefore to require all concerned in p'serveing the said woods, that they, from the date hereof, molest not the said M^r^ Magillicuddy in makeing use of the said fallen timber, (p'vided that he doe not cutt or fall any of the now timber standing and growing in the said woods). Dated this first day of July 1684

[Signed] Bartho: Babe, Coll^r^

To all concerned.

CIII.

Affidavit concerning Dunloe and other lands.

Dated 21 February 1686]

Whereas the Lands of Dunelowe, and other Lands in the County of Kerry, are graunted in Custodium to John Ellis Esq^r^, to his Ma^tie's^ use, and are sett to Cornelius m^c^ Gullycuddy, Gent'—Nowe David Barrett, Gent', came this day before me, and made oath that Nyne hundred and thirtye accers of the lands of Ardtullihy, eight hundred and foure accers p'te of Inchynare and bardnastousky, are w^th^heald by Daniell m^c^ ffynine Carthye, beinge parte of the said Custodium, and are worth nyneteene pounds p' annum;—Garrina, seaven

hundred sixty nyne acers, beinge p'te of the said Custodium, and past in Custodium to James Waler, as p'te of Robert Marshall's Lott, worth p' annum fifteene pounds fifteene shillinges:—Seaven hundred two acers 39 pearces of the two plowlands of Shanderyes, in the said Custodium mentioned, are past in patent to Co^ll: Donnogh m^c Gillycuddy, as p'te of his two thousand acers, worth twelfe pounds twelfe shillings p' annum:—Coumenahorny, beinge p'te of the two plowlands of Cahir Donelmore, in the said Custodium mentioned, w^thheald by Dermod oge Sulevane upon pretence of beinge adiudged in the Late Courte of Grace, worth six pounds ten shillings p' annum;—The Lands of Ankeal is p'te of the foureteene hundred acers of Gortagoune in the said Custodium mentioned, is w^thheald by Cornelius Sulevane and worth two pounds ten shillings p' annum;—Sleanenasaskye grasceinge, belonginge to the halfe plowland of Kaunreagh, in the aforesaid Custodium mentioned, w^thheald by the aforesaid Dermod oge Sulevane, upon pretence aforesaid, worth one pound p' annum;—Inchynanagh and Shandrum, beinge parte of the said Custodium, w^thheald by the said Daniell m^c flynine Carthye, past in patent by other names in the late Courte of grace, beinge worth six pounds p' annum.—All the aforementioned Lands, the said Dopon^t Deposeth they are worth the aforementioned severall sumes yearly, & will pay the same yearely for a lease thereof, and will Enter into Securitye for the same if recovered.

Jur' cor' me 21° die ffeb'r' 1686

Stephen Rice

CIV.

Order of the Lord Lieutenant and Council concerning Salmon Fishing.

[Dated 9 March 1686]

[Original]

After our hearty Comendac'ons, we have caused a proclamac'on to be lately imprinted, dated the 7th day of March 1686, concerning Salmon fishing. Of which proclamac'on we send you herewith a certain number, requiring you to cause the same to be [illegible] solemnly proclaimed with sound of Trumpett and beat of Drum in [illegible] and publickly fixed up in all the marketts, and other publick places, throughout that County, that soe all persons con-

cerned may take notice thereof. And we require you, by the next post after your receipt hereof, to signifie to the Clke of the Councell the day of your receipt of these our letters. And soe we bid you heartily farewell. From the Councell Chamber in Dublin the 9th day of March 1686

your loveing friends

TYRCONNELL

H. Pytton C
Clanricarde
Lymerick
Gormanston

Galmoye

Jo^{s} Davys
Rob: Hamilton

Will: Talbot

Tho: Newcomen

N: Purcell

CV.

Letter from the Earl of Rochester to the Lord Lieutenant of Ireland concerning Oak timber in the woods in Kerry cut down, as was said, by M^{c}Gillycuddy.

[Dated 2 April 1686]

[Endorsed] Thorp's information concerning Ballenbog.

To ye R^{t} honble ye Earle of Rochester, L^{d} high T'rer of England,

The humble pett^{n} of Isaac Thorp, of Traley in ye Coun^{ty} of Kerry, Ireland, Sheweth

That y^{r} pett^{r} understanding by ye Gazzett y^{t} his Ma'ty hath occasion for Oak timber, and y^{r} pett^{r} being acquainted with a place in Ireland, of his Ma'tie's, whereon is standing good timber for his Ma'tie's supply, and neare ye conveniency of Shipping, w'ch woods are dayly distroyed by ye Country;—

Therefore, if' y^{r} honn^{r} think fitt to be fully informed in this matter, y^{r} pett^{r}, when called, is ready to give y^{r} honn^{r} an acc^{t} thereof.

Copia vera
Jo: Nethercott
Dep. Rem. Thes.

My Very good Lord,

I lately rece'd an informac'on from Isaack Thorp, of Tralee, in ye County of Kerry, in Ireland, by his pett", a coppy whereof is here inclosed. Whereupon I sent for ye s'd Thorp, who explayned to me he lately came into ye River with a ladeing of Oake timber, which he tells me he brought from a place neer Ballybegg, in ye County of Kerry. He likewise informes me y^t^ there is a considerable quantity of wood, ship timber, at Ballybegg, w'ch belongs to ye King, & y^t^ one M^r^ Gillycuddy cutts downe and sells great quantityes thence, upon ye pretence of a grant he hath for fallen timber there, as he calls it.

Thorp hath sold his ladeing of timber to ye Navy, w'ch p'haps might have been the King's timber & came from ye same place, though he doth not owne it. And if it should be soe, he notwithstanding deserves encouragem^t^ for his enformac'on. He is imediately returning back into Ireland. I have therefore thought fitt to send y^r^ Ex'cy this acc^t^, y^t^ you may send for ye s'd Thorp and receive a more p'ticular informac'on of ye matter, w'ch he is ready to give, upon y^r^ Ex'cie's sum'ons.

I am, my Very good lord,
y^r^ Ex'cye's most humble
servant,
ROCHESTER

Whitehall Tre'ry
Aprill II^e^ 1686

[Post script]

Mr. Thorp informes me that there is at present a considerable p'cell of tymber lyes ready Cutt, at Ballybegg, w'ch may be seized for ye King's use. I therefore desire y^r^ Ex'cy to take immediate care in it.

Copia Vera

Jo: Nethercott
Dep. Rem. Thes.

CVI.

Inventory of M'Gillycuddy's Cattle.

[Dated 15 May 1686]

✠ Jesus Maria, a*

An account, taken by me, of my Cattle, from Theig duff this 15 of May 1686, the last being the 19th febr: 1684, beinge 66 in all.

In primis, sent home sixteen milckes Cowes, whereof five Miscaried and given away, one to the friers, one to Dermott Skannell, the three other lost att Commientomien, in the pareke att home, and att Ardaeluckien.

Fiveteen milckes Cowes held by the Cow boy his father &c, an other Cowe killed christmass last was twelfe moneth, three Cowes lost here this yeare and last yeare, allsoe one bullocke lost, one bull kelt and given to Charles Egane.

What is now extant of the said Cattle.

Eleven Milckes Cowes, twelfe Gaunaghs, two Gaunaghs more, four Sannefieghs, beinge of the 8th last yeares Carteses, whereof three are Milckes Cowes this yeare, eleven Gaunaghs att home.

Tenn steares att home, and three hier, and a bull, three Cow Carteses, 3 Cowe yearelinges, and one male.

Seaven shannefiegs bullockes w'ch I had from friends.

An account of my horses.

Four horses and Garrens and Tenn Meares.

* "a" stands for *amen*. This ancient devotional formula was similar to the words *In dei nomine, Amen*, so generally used at the commencement of wills.

CVII.

Motion for a Writ of Estrepement to preserve the timber at Ballybeg.

[Dated 8 July 1686]

8 July 1686.

Mr Thompson—in behalfe of the King, moves for a writt of Estrepement* to preserve woods belonging to his Ma'tie on lands near Ballybegg Com' Kerry.

Lord of Rochester's L're Read, to whom informac'on was given by one Thorp, yt Coll mc Gillycuddy cutt downe & sold his Ma'tie's ship timber.

Cur'. A writ of Estrepemt, unlesse Mr mcGillicuddy show cause on Saturday—first having notice thereof.

p' cur'.

Jo: Nethercott

Dep' Rem' Tres'

* *Estrepement.* Any spoil or waste made by tenant for life upon any lands or woods to the prejudice of him in Reversion. Also making land barren by continual ploughing. The writ of estrepement was abolished by 3 & 4 Wm. IV. c. 27.

[Wharton's Law Lexicon.]

CVIII.

Letter concerning Fishing.

[Dated 29 October, 1686]

[Endorsed] John Rawlins his letter about the fish of Sweine.

Sr

my father advised me that you ordered me to send you word what I paid Mr Hease for the fish. I paid him for the halfe of the fish six p'nds Eleven shill' in Cash, and one p'nd ten, which I paid by yr l'er, Laid out about

Sweine fishing. Itt is something more then 30^{s} which you shall have an Exact Acc^{t} of as sone as I come home ; as alsoe of all other things Betwene my father and you ; who am, D^{r} S^{r}, y^{r} affec^{t}: Humble sarvant to Command

Jo^{n} Rawlins

29th of Oct^{or} 1686.

[Addressed] For
M^{r} Cornelius m^{c} Gillycuddy
at Carubeg

CIX.

Order for payments to Donogh M'Gillycuddy, High Sheriff of Kerry.

[Dated 15 April 1687]

[Original]

M^{r} Daniell Harman

I DESIRE yo^{u} will paye unto Donogh m Gillycuddy Esq^{r}, high Sheriffe of the County of Kerry, the sum of five pounds, ster^{l}, out of what moneys is ord^{d} for me for maintaineing his ma^{ties} prison^{rs} since last sessions. And the sum of five pounds ster^{l} more I promise to allow or paye yo^{u} out of what moneys will be ord^{d} me for Releiffe of prison^{rs} next Jully Sessions. And for soe Doeing this shall be yo^{r} Discharge for soe much. As wittness my hand this 15th Aprill 1687.

John Williams

Boath sumes to be paid to
the high Sheriffe affor's^{d}

CX.

Warrant of the High Sheriff of Kerry, Donogh M'Gillycuddy, for the arrest of the Rev. John Richard, a defendant in an action for debt.

[Dated 16 April 1687]

[Original]

Com. Kerry. Donogh m'Gillycuddy, Esq', high Sheriffe of ye s^d^ county, to Phillip Lucett, Morris Hussey, Speciall bailiffe, & his assistants (at ye pl'f's p'ill).

Richard Noble, gen' pl'f'
John Richard, Cl'ke Def^t^

By vertue of a decree to me directed from his ma^tie's^ late goeing lords Justices of ass^t^ for ye p'vince of Munster, I require and authorize you forthw^th^ to apprehend the boddy of ye said defend^t^, wheresoever w^thin ye said County he may be found, (as well w^thin liberties as w^thout) and him haveing soe apprehended, salfe to bring & convey into his ma^tie's^ County Goale of ye s^d^ County, there to remayne in salfe custody & execution, for & untill he shall satisfie & pay unto ye pl't'f' ye sum'e of Twenty pounds & nyne shill^s^ ster', Debt Interest & Costs. And for soe doeing this shalbe a sufficient warrant. Dated under my hand & seale of office 16^th^ April 1687.

SEAL.

Do: m'Gillycuddy

Sher^s^ fees £1 5^s^ 10^d^
Ex' p' Jo: Lylesse & Com.

CXI.

Cornelius M'Gillycuddy's Petition to the Lord Lieutenant (Tyrconnell) with His Excellency's order thereupon.

[Dated 16 July, 1687]

[Original]

[Endorsed] The humble Petic'n of Cornelius m^c^ Gilly Cuddy.

To his Ex^cie^ Richard, Earle of Tyrreonnell, L^t^ Dep^ty^ Gen^ll^, and Gen^vll^ Govern of Irland

The humble Petic'on of Cornelius m^c^ Gilly Cuddy.

Humbly Sheweth,

That severall Lands in the County of Kerry, Comonly known by the name of the three Regiments Lott, being very much in Arreare of Quitt Rent

to his Maj'tie, a Custodium was granted thereof to John Ellis Esq, in trust for his Maj'tie.

That the lands in the annexed schedule, being part of the said Lott, are such as were the propriety of your Peticon'r's ffather, or paid to him Cheifrie, and the whole lands being in his Maj'tie's disposal as aforesaid.

May it therefore please your Ex'cy to grant your Pet'r a Custodium of the said Lands, att the Rent the same have yeilded to the said Custodee, for these 4 yeares past, or in proporc'on as he setts the whole Lands.

And he will ever pray &c

Dublin Castle 16 July 1687

We refer the consideration of the above Petition and annexed Scedule to our very good Lord the Lord Chief Baron, and the rest of the Barons of his Ma'ts Court of Exchequer, to inquire into the matter, and certify us what they find, with their opinion what we may fitly doe therein.

TYRCONNELL

	A.	R.	P.
Cahirdonell Ieragh	220	00	00
Bracaharagh one plow Land	100	03	14
Shanderie 2 plow L[d]	2317	00	00
Goulane Kippaghenrush & Ardshielane	600	00	00
Listie Cnogher & Skart 2 pl' L'ds	860	00	00
Glaunloghie 1 plow Land	315	01	00
Gortneskarrie	220	00	00
Ardmore one plow L[d]	50	00	00
Megulls & Bohekille 9 gneeves	259	02	00
Durreen Auliffe	770	00	00
Durrilettir Cnose & Moniflugh	2500	00	00
Raghieragh one plow L[d]	190	03	34
Raghmore one plow Land	190	03	34
Garrugh ten gneeves	260	03	30
Coade one plow L[d] three gneeves	380	02	20
Beheghane Ieghtragh	173	01	24
Durreenevurrigh	970	00	00
Graiseing belonging to Garrina and Durreenevurrigh	435	02	16
Durreenefoile ½ pl' Land	294	00	00
Gluiske two gneeves	223	03	30

CXII.

Report to the Commissioners of Revenue on Colonel M^cGillycuddy's Petition.

[Dated 1687]

[Endorsed] Mr. Thompson's Report upon Mr. M^cGillycuddye's peticion.

To the Hon^ble the Cheife Com^rs, & Gov^rs of his Ma^tes Revenue in Ireland,

May it Please your hon^rs,

In obedience to your Ord^r of refferrence, I have examined the contents of the Petition of Cornelius M^cGilly-Cuddy, hereunto annexed, and finde the lands of Dunlow, and severall other lands in the county of Kerry, granted by the Certificate of the Com^rs of the late Court of Claimes unto Coll^l Pritty and others, for the 3 Regim^ts, were granted in Custodiam, by the Court of Exch^qr, to John Ellis, Esq^r for his Ma^ties use, in June, 1683, and by yo^r hon^rs agreem^t and directions sett by him a Lease to the Pett^r, att the Rent of 340^li, to commence 25^th March, 83, and to continue dureing the said Custodiam.

I alsoe finde, by a Le're dated the 8^th Sept 83, written by M^r Ellis to the then Coll^l, M^r Barth: Babe, wherein he directs that upon the complaint of the Pett^r, that if the Pett^r should take the lands forthwith, and give such security as the Coll^l should approove off, that he should sett him the same at the Rent of 280^li per ann; w^ch I finde the said Coll^l did accordingly.

I alsoe finde, by a Certificate from the said Coll^l, that he gave poss'on thereof the 2^nd day of October 1683, and the Pett^r praies he might be charged w^th no Rent but from the time he was put in poss'on thereof as aforesaid. I alsoe find, by the affid^t hereunto annexed, that there are several lands w^ch were in the said custod^l and sett to the Pett^r as aforesaid, w^ch he could not enjoy, the vallue whereof by the said affidavitt appeares to be 63^li 7^s p^r Ann.

I alsoe finde the Pett^r hath paid, on acc^t of the said Lease, to the said Coll^l, 492^li 9^s 1¼^d, and to M^r Christop^r Carleton the sum'e of 106^li 4^s 8^d, soe that, accounting the Rent att 280^li p^r ann, from the time the Pett^r was put in poss'on as aforesaid, I finde he is chargeable, for 3 yeares and halfe rent due at Easter last, the sum'e of 980^li, and if your hon^rs should allow the Pett^r the sum'e of 63^li 7^s p^r ann, for the lands he could not enjoy as aforesaid, for the said time, it amounts to 221^li 14^s 6^d w^ch with the 492^li 9^s 1¼^d paid to M^r Babe,

and 106li 4s 8d to Mr Carleton, amounts to the sum'e of 820li 8s $3\frac{1}{4}$d; w'ch being deducted out of the said Charge, there remains due from the Pett'r at Easter the sum'e of 159li 11s $8\frac{3}{4}$d.

But I humbly conceive the Pett'r ought to pay the Rent from the date of the said Custodium, because the said Lands were in Custod' before, and the Lease commences from the 25th March 1683; and if your hon'r should be of that opinion, the Pett'r is to be charged w'th the $\frac{1}{2}$ y'rs Rent due att Mich'as 83, w'ch amounts to 140li; whereof if your hon'r should allow for the lands he did not enjoy, w'ch comes to 21li 6s, it will be 118li 14s.

I alsoe conceive the lands withheld from the Pett'r, tho' they were worth 63li 7s p' ann, as by the affid't is sworne, Yett the vallue thereof, in proportion to the whole lands, amounts unto but 42li 12s; and if y'r hon'r should be of opinion the Pett'r ought to be allowed no more abatem't p' ann', then the Pett'r would be charged with, besides the 118li 14s for the $\frac{1}{2}$ y'rs Rent due as aforesaid, the sum'e of 72li 12s 6d; w'ch two sumes being added to the 159li 11s $8\frac{3}{4}$d due from the Pett'r att Easter 87 as aforesaid, I finde the whole due from the Pett'r att Easter 87 amounts to 350li 18s $2\frac{1}{4}$d

Rich'd Thompson.

CXIII.

Letter to Colonel Donough M'Cilligoddy from his brother Cornelius or Connor.

[Dated 26 April 1688]

[Original]

Dublin the 26 of Aprill. 88.

Dearest Brother

I have receaved no Certeayne newes out of England but that Roger Mr Elligot is Coll', and my Nephew Lt Coll'. Theire officers, for the most p'te, are out of Holland soe y't I had noe Conveniance to write to them by reason of my marching to Kilkenny, where wee mustered the 18th of Apr'. From thence I Came to Dublin wher I expect daylie my frinds. They are to make up theire reg'ts, tenn out of each companie in Irland, and some of theire

officers that came over heer sayes that they are to goe for England, and theire quarters are made reddie for them in Chester. My Lord deputie sayes that hee hath twelfe officers to put in himselfe. There are manie here that puts in for theire places. Maior generale Macarthy is here, unto whom I intend to speake. I hoape you have not forgott to write in my behalfe to London. I hoape I will see you heere very soone, for I am sure you may doe my bussines if not done before, w^ch is all from y^r affectionat Brother and Ser^t to Command

Co^r m^cGillycuddy

[Addressed] ffor Coll^r m^cGillycuddie in the Countie of Kierry

In a different and later hand is written on other parts of this letter the following:—

John Castel hath discoursed w^th Councellor Langane and hath advised w^th him in the behalfe of John o Breene. His advise is to gett a *habeas Corpus*, and inter a bill, in ye Chancerie of the exchequ^r, against the Kinge, by reason he is kept in Goale by vertue of a *bowere* out of the exchequ^r, and when the refference is shewed to my L^d Chiefe Barron, he will thereupon order him to be released or els accept of any securities upon the *habeas Corpus*. If the bill is entered none will answeare itt. By that the poore man will be released.

Itt were good if Donough, Cornelius, and Teige, were soe diligent and successful in their studies as our friends ffr. Daniell and flor^r ffearys.

These 3 suffered extreame want this moneth ended. Itt's nott to be imputed to me who am nott able to give Contentment to my owne and their childeren. There relation there must be mindefull of them 3 childr.

I wish my said nephew and neece make my coussen morigh fearis knowe when they are paid. Itt were better to lett yorselfe knowe itt, if you pleased to lett me knowe itt, I doe nott knowe M^r Cornelius his hand.

CXIV.

Sir Francis Brewster's receipt for Cattle seized under a Writ of Levare by Donogh M'Gillycuddy.

[Dated 6 June 1688]

[Original]

[Endorsed] S^r^ Francis Brewster's acknowledgement for his Catle.

Received from M^r^ Dermod M'Gyllycuddy the full number of Sixteen Cows, three Calfes, and one bull, being the remaining parte of a greater parcell of Cows and horses, seised on by Donogh m'Gyllycuddy, Esq^r^, by virtue of a *Levare*, to him directed, at y^e^ suit of Coll' Roger Moore. I say rec'd the said Sixteen Cows three calfes and one bull, and alsoe full satisfaction in all distresses taken from everie of my Lands by the said Donogh m'Gyllycuddy, Esq^r^, or his bailiffs, by the virtue of the aforesaid *Levare*. As wittness my hand & seal this 6^th^ day of June, 1688,

Fr: Brewster

Seal

Being present

Tym: Sullevane

CXV.

Mr. Ferris' letter to M'Gillycuddy, announcing the committal of the Seven Bishops to the Tower and the birth of a Prince of Wales.

[Dated 12 June 1688]

[Original]

London the 12^th^ of June 1688

Dear S^r^/

I am sorry that my removeall from that Kingdome hath obliteratted the rememberance of our former friendship, w^ch^ I perceive by yo^r^ not honnouring me w^th^ the least scrole since my Departure, though often requested.

But now once more to raise the noble faculties of yo^r inclinations I truble you w^th an acc^t of the new newes, though att this time I am halfe merry w^th Drinking of Noble healths wherein I include yo^rs.

S^r in short the post is goeing, and 'tis verry late, therefore I tell you that on Saturday last the Arch Bishop of Canterburry, Bishop of Bath and Wels, Bishop of Chichester, Bishop of Asaph, Bishop of Bristoll, Bishop of Ely, & Bishop of Peterburrough, have beene sent to the Tower for Deneying to reade his Ma^tie^s Declaration of takeing off the Test and penall lawes, his Ma^te calling them Trumpeters of Rebellion.

On the next Day, on Sunday, about Ten of the Clock, her Ma^te was brought to bedd w^th a Prince of Weals, who made his friends & foes sick,—the former w^th Drinking his health, the latter w^th Dissatisfaction and Discontent. Wee shall have the thanksgiving next Sunday. I have writt to you already but neaver had the honnour of a word from you. As for my Condition I am verry well, thank God, and have his Ma^te^s promise of employment this Month. Pray lett me receive from you by the next, and Direct yo^r letters to the Apletree in S^t Stephens Ally, in King street, Weastminster. My humble service to yo^r Lady. I am, S^r, yo^r owne obleiged humble ser^t

C^rs. Ferris

Excuse my unpollisht letter
this night, when I cannot be Sober.

CXVI.

Certificate of Arms.

[Dated 23 August 1688]

[Parchment. Original]

Beneath a representation, in colours, of the M'Gillycuddy arms is the following:—

I, S^r Richard Carney, Kn^t, Ulster King of Armes of all Ireland, doe hereby certifie that the Atchievement above depicted (viz^t) Gules a Wiverne with Wings displayed Or. The Crest on a Helmet and Wreath of his colours, three

Piramides or Rocks proper, together with this Motto, Sursum Corda, doth properly belong unto Donogh M^cGillicuddy of Castlecurrigg, in the County of Kerry, Esq^re: Son and heire of Connor M^c Gillicuddy, of the same, deceased; all which I have recorded in my Office. In testimony whereof I have hereunto subscribed my hand, this three and twentieth day of August, Anno Domini one thousand six hundred eighty eight.

Rich^d Carnly, Ulster, King of Armes
of all Ireland.

CXVII.

Commission for Cornelius M^cGillycuddy to be Captain in the Army.

[Dated 24 December 1688]

[Parchment. Original]

[Endorsed] Commission to Cornelius m Gillycuddy to be Captain in Lord Slane's Regiment. 1688.

(Seal)

Richard, Earle of Tyrconnell, Viscount Baltinglas, & Baron of Talbotstowne, Lord Deputy Generall, & Generall Governor of his Ma'tie's Kingdom of Ireland, & one of the Lords of his Ma'tie's most Honorable privy Councill of England & Ireland.

TYRCONNELL

To our Trusty & wellbeloved Cornelius Mac Gullicuddy, Cap^n, Greeting/

Wee, reposing speciall trust & confidence, as well in the cair & diligence, & circumspection, as in the loyalty, courage, & readines, of you to'ds his Ma'ty's good & faithfull service,—Have nominated, constituted, & appointed,—And we do, by virtue of the power & Authority unto us Given by his Ma'ty, under his great Seale of England, hereby nominate, constitute, and appoint, you the said Cornelius Mac Gullicuddy, Cap^n in the Lord Slane's Regim^t, which Company you

are to take into your charge & care as Cap[n] thereof, And duly to exercise both officers & Soldiers in Arms; And as they are hereby commanded to obey you as their Cap[n], so you are likewise to observe & follow such orders and directions as you shall, from time to time, Receive from us, or other your Superior officer, or officers; According to the discipline of warr, in pursuance of the trust reposed in you. And for so doing this shall be your sufficient warrant & Com'ission. Given under our hand & seale of Armes, at his Ma'tie's Castle of Dublin, the [blank] day of December, in the fourth yeare of his Ma'tie's Reigne.

W. Ellis

Entered in the Muster M[r] Gen[ls] Office, the 24[th] of December 1688/

Abr: Yarner.

Cornelius MacKillicuddy Cap[n] in L[d] Slane's Regim[t]

CXVIII.

Denis M'Gillycuddy's Appointment, under the Sign Manual of William III., to the command of the Irish Forces intended for the Emperor's Service.

[Dated 10 April 1689]

[Original]

[This and the following paper are thus endorsed] King William, Commission to Coll[l] Denys M'Gillicuddy dated ye 10[th] day of April 1689 to comand Coll m[r]Elligott's.——with Duke Shonberg's Letter & order to Embarque for the Emperor's service to Hamborough.——To be kept safely for ye use of m[r]Gillicuddy's family.

WILLIAM R [Autograph]

WHEREAS We have thought fitt to send all the Irish officers and soldiers, now in the Isle of Wight, to the city of Hamborough, in order to their entring into ye Imperiall service at that place, Our Will & pleasure is that you take all the said Officers and soldiers under your Command, and take care that they be

immediately putt on board such ships as are appointed to receive them. Wherein you are to follow the directions of our Trusty and Wellbeloved S^r^ Robert Holmes, Govern^r^ of Our Isle of Wight, or the Officer in chief commanding there, and being arrived at Hamborough aforesaid, you are to obey such orders as you shall receive from the Imperiall Resident, or such other person, as is or shall be duly empowered by the Court of Vienna, to direct their march to the Imperiall Territories. Given at our Court at Whitehall the 10^th^ day of Aprill 1689. In the first year of our Reign.

By His Ma^ty's^ comand

Nottingham

To our Trusty & Wellbeloved Denys Macilliecuddy, Esq. appointed by Us to command The Irish officers & Soldiers now in the Isle of Wight.

L^t^ Coll. Macilliecuddy to take ye comand of the Irish in y^e^ Isle of Wight.

CXIX.

Letter of Marshal Schonberg to Denis McGillycuddy, with Instructions for his taking command of the Irish Forces then in the Isle of Wight, and intended for the Emperor's Service.

[Original] [Dated 29 March 1689]

The following letter appears to have been written by a Secretary. The words "Your affectionat servant" and the signature were added by Schonberg himself.

[Endorsed] Collo^ll^ Don^l^ m^c^Gillycuddy's ord^r^ from King William to Comand ye Irish forces in ye Emperor's service. an^o^ 1689.

Saint James's, March 29^th^, 1689.

S^r^/

His Ma^ty's^ Pleasure is That the Irish in the Isle of Wight be formed into a Regiment, to serve the Emperor under your Comand. Therefore you must forthwith transmit to me a true Number of the men, & Certifie the Names of

such officers as you propose to serve in the said Regiment, which is to be doubly officered. And further that you and your officers be in a Readiness to Embarque whenever the Shipps shall arrive to receive you. All which you are to perform upon receipt of this order

I Remain

Your affectionat seruant

Le M^y^: de Schonberg

[Addressed] For his Ma^ts^ Service.
To Dennis M^c^Gillicuddy Esq^r^ L^t^ Coll: to Coll:
M^c^Elligott's late Regiment of ffoot.
Isle of Wight
Hants

This letter of Duke Schonberg has a large seal in good preservation. Under a ducal coronet is a quartered coat, thus described by Sir Bernard Burke:— 1st and 4th Arg. an inescutcheon Sa: Over all an escarbuncle of eight rays, or.

2nd and 3rd Az. six inescutcheons arg. three, two and one. An escutcheon of pretence, a man on horseback holding in his hand what appears to be a mallet or baton, but as the colours are not indicated, it is impossible to describe it accurately.

CXX.

Warrant to receive Money for Colonel M^c^Elligott's Regiment.

[Dated 30 July 1689]

[Original]

I DOE hereby authorise and impower Cap^tn^ Cornelius mac Gillyeuddy to receive the sonme of two hundred and forty pounds from S^r^ James Cotter, or his Deputy, being the contents of a bill drawne upon him by M^r^ Doe, Receiver

generall, for the subsistance of my regiment; for which the said Capt[n] mac Gillycuddy's discharge will be sufficient. Given under my hand this 30[th] July 89

Roger m[c]Elligott

CXXI.

Appointment of Denis M'Gillycuddy, under Sign Manual of James II., to be Commander in Chief at Cavan.

[Dated 30 April 1690]

[Original]

[Endorsed] Order to Coll' m[c]Gullecuddy to Comand at Cavan &c

JAMES R [Autograph]

Our Will and pleasure is, that you forthwith repaire to our Towne of Cavan, where you are, dureing our pleasure, to Comand in Chiefe all our forces in the said Towne, and in our County of Cavan. You are likewise to take Care that noe disorder be Comitted by any of our Army within the said Towne or County of Cavan. And that you, from time to time, informe us of all accidents that shall happen there, or thereabouts, relateing to our affaires. And herein you are not to faile. Given at our Court at Dublin Castle, the 30[th] day of Aprill, 1690, and in the Sixth yeare of our Raigne.

By his Ma[ty] Comand

Ri: Nagle

To our Trusty and wellbeloved
Coll Denis M'Gullecuddy.

CXXII.

Inventory of Cattle seized in Kerry for the use of the Army of King James II.

[Dated 6 April 1691]

6th April 1691. Acct of Cattle, seised for K. James use, in Kerry, and value.

	li	s	d
Ivraghti Connor	24	14	$4\frac{1}{2}$
Clanmaurice	37	13	4
Trughanackmy	47	1	8
Corkaguiny	29	8	$6\frac{1}{2}$
Magonihy	42	7	6
Iverahagh	17	13	$1\frac{1}{2}$
Glanarough	11	3	$7\frac{3}{4}$
Dunekearan	15	17	$9\frac{3}{4}$
	226	0	0

Cattle p'd by ye County

Corkaguiny Barrony	429
Clanmaurice	493
Trughanachny	309
IrraghtiConor	258
Magonihy	246
Dunekearane	171
Iverakagh	142
Glanarough	98
	2146

		li	s	d
David poore	five oxen	05	00	00
Mack Donough	20 oxen	25	00	00
Thomas Hassett	4 oxen	06	00	00
John Mahony	27 bullox	40	00	00
The same Mahony	30 oxen	32	10	00
The s[d] Mahony	30 oxen	20	00	00
Daniell Sulivane	60 bullox	40	00	00
Thomas Hussy	4 bullox	03	10	00
Richard Rice	5 bullox	06	00	00
Patrick Tuohy	30 bullox	03	00	00
Richard fz Mauris	02 bullox	02	00	00
John Connell	08 bullox	08	00	00
The same Connell (Cornelius Leyne's)	15 bullox	12	00	00
The s'd Connell (2 of s[d] Leyne's)	15 bullox	09	00	00

Wee the undernamed being Chosen apraissers by Capt'n Robert fz Maurish for to apraise the number of two hundred and thirty fatt oxen for his Majestie's use,—Wee therefore hath apraised the s[d] oxen to the vallue of two hundred and twenty three pounds st' as above mentioned ; as wittness oure hands this 6[th] day of Aprill 1691.

Tho: Crosbie
Jo[n] Cahaffy
John Cahaffy
W[m] fiz Maurice

	li	s	d
ye 235 oxen	216	00	00
Salary for Ja: Conry	07	10	00
Appraiser's fees	02	10	00
	£226	00	00

Copia Vera

CXXIII.

Letter to Major Denis M'Gillycuddy complaining of the forcible impressment of men to serve in the Army.

[Dated 29 July 1691]

[Original]

[Endorsed] ffor Major Den: M'GilleCuddy —— these —— at Tulligg.

29 Jull: 1691

S'/

I RECEIVED y^rs aboute the Joyneing in Militia men to y^r standinge troupes; the teyrannye used by y^r Collo: of presseinge men Contrary Justice & law is to be oute of date w^th him scalfe. & as to what men depend on mee I will see them Conforme to orders. To w'ch purpose I have received p'ticullar Comaunds

I am y^r hum^ble servant

Dan: O Sullevane

CXXIV.

Letter from Richard Connell, an officer in the Limerick garrison, to his father at Killarney.

[Dated 1691]

[Original]

Lym^k ye 10^th [sic] 1691

Deare fa^r

HEARE I send you, by way of exchange, one guinea, one pistole in goold, one six shill' piece, & one Crown, w'ch amounts to three pounds, one shill' & four pence, w'ch I give to Cap^t frank m'Gullycuddy being sick [of] small pox, butt will doe well by God's assistance.

He desires his father to pay [you ?], on sight of his note, ye money. If I can goe thither I will very soone. I shall want butt horses. There is one

M^r^ Cappog, the Kings hors keeper thereabouts, who has 5 hundred of our horses. Shew him this note, & lett him deliver you ye three of ye best he has, to send to me, & desire him to make all ye hast he can w^th^ his horses. I have all the charge of ye Garrisson to supply w^th^ all things belonging to prevision. Lett M^r^ Cappook know y^t^ I have butt ten horses to furnish both fire, water, & other necessarys, soe y^t^ he shall make all hast possible. Pa^r^. Ruork (who I believe peruses this), if he can gett me any men for france, I'll goe to Kierry, w'ch I doubt nott but he will indeavour.

I have a bar of Iron, if I knew how to send itt. My respects to all my friends, sisters & others. If I can hors myselfe, I'll come to see you. Being in extreame hast, I conclude y^r^,

most obed^t^ son,

Ricard Connell.

For M^r^ Ricard Connell neare Killarney, in the County of Kerry, These,

---

CXXV.

Letter to M^c^Gillycuddy from Thomas Connor, Esq.

[Original]

[Dated 1 April 1692]

Dublin 1° Aprilis 1692

D^r^ Coll/

Coll' Hussey shewed me a letter he rec^d^ from my Bro^r^ Cornelius, about yo^r^ 2,000^li^, & about ye Custody of ye Coll's lotts. Upon w'ch I made my applicac'on to the Lord Chancellour, who was very civill, & sent a note along w'th me to ye Com^rs^, to order their officers in the Country not to demand any more Quitt rent from y^m^ y^s^ as if you were heard on y^r^ qualificac'on. Upon w'ch Dick Thompson writt a letter to the Coll^rs^, for Newstead to recieve one y^r's^ Quitt rent, & respitt ye rest; w'ch is as much as is done for any one in this kingdome.

I rec[d] a l'er from y[r] son Corn', directed to Corke, about ye Coll's lott, & have herein sent him a l'er to ye Coll', w'ch will be sufficient. As for the Claymes, they are all putt off sine die. This, w[th] my true love & respects to all yo[r] ffamily, concludes from

y[r] most affect' humble serv[t]

Tho: Connor

M[c]Gullycuddy.

[Addressed] ffor ye Hon[ble] Coll
Donogh m[c] Gillycuddy
att or neare
Tralee

CXXVI.

Another letter from Thomas Connor, Esq.

[Dated 18 October 1692]

[Original]

[The address of this note is not preserved. It is endorsed] M[r] Thomas Connor's Letter wherein he mentions that my L[d] Chancellor will doe his buisseness.

Dublin 18° 8[br] 1692

Bro[r]

I REC[D] severall l'ers from y[u] since my departure, but there was noe occasion to answ[r] them, neither would I write this but y[t] y[u] tell me of one Waller. I can assure y[u] nothinge can bee done without the privity of Dick Thompson & me, but for fear of being forgott by Chettwood or at least out bidd, I would advise y[u] to send y[r] other 20[li] imediately to

yo[r] own most truly

Tho: Connor

My true respects to y[e] Coll' & tell him my Lord Chancello[r] will doe his business &c.

CXXVII.

John Mahony's Declaration.

[Dated 6 November 1693]

[Original]

I DOE hereby Certifie that I have noe right, or Interest, in the 3 Regim^ts Lott, soe as to hinder M^r Tho: Connor, or his assignee, to receave the last gale & the Arreares Due to him in Glanor^t, or elsewhere, Except such as I hould from him by Lease in the p'ish of Killeroghane, altho' I Expected that my Lord Shellburne might have a Custodium thereof by this time for this Ensueing yeare, from Michaelmas last, of w'ch all p'sons concerned are to take Notice. Dated the 6^th of Nov'b'r 1693

John Mahony.

CXXVIII.

Letter of Thomas Conner, Esq., to M^cGillycuddy.

[Dated 29 May 1694]

[Original]

[Addressed] The Hon^ble Coll Donogh m^cGullycuddy att Kearhubegg neare [Tralee]

Dublin 29° May 1694

D^r Coll

yo^rs of the 5^th instant came to my hands this day, and as for yo^r Lands being posted to bee sett, 'twas done by mistake, & I made application in yo^r behalfe to y^e Com^rs for forfeitures, and got y^m struck out of their bookes, in regard you are comprehended within the articles of Lymericke.

The Lord Chancellor is just now come into y^e . . . . . I hope will sleep att his one house . . . . . upon my word I shall . . . . . how heartily yo^r dayly prayer

. . . . . ag^t his enemies . . .
. . . . . whilst I'm hear tho' I dont
. . . . . .
. . . . . all y^t . . . . .
. . . . . ye temporall . . . .
. . . . . humble service . . . .
. . . . . from . . . . . .

yo^r most affectionate
& humble serv^t

Tho: Connor

CXXIX.

Warrant of Edward Herbert, High Sheriff of Kerry, against the goods of a defendant who failed to appear.

[Dated 27 June, 1694]

. . . .
. . [m^cGilli]cuddie
. . . .
[plaintiffs]
. . . . nelly, Def^t
. . . . . .
. . . .

Edward Herbert, Esq^r, high Sher' of the said County, to all & singuller my bayliffs.

Whereas the pl^ff com'enced his acc'on in this Court ag'^s the Def^t, unto w'ch acc'on the Def^t neglected to app'e, in manifest contempt of athority. These are to will and req^e yo^u forthwith to seaze, and take into yo^r Custodie, soe much of the Def^ts goods and Chatles, as may satisfie the pl^ff Demand, not exceeding 39^l 11^s, ster', and y^e same to p'duce in specie, at &c, to be &c, untill the Def^t enters saffe securityes — *Deadjudicat— solvend*— purge his C'tempt and answ^r the pl^ffs acc'on remayning of Record, whereof &c. Dated this 27 June 1694

Edw^d Herbert

CXXX.

Letter of Cornelius M'Gillycuddy to his father, Donogh M'Gillycuddy.

[Dated 13 October 1694]

[Original]

Dublin 13° october 1694

Deare father/

I WRITT to yo^r^ att large last post what I had then donn, and Cann add noe more to itt, butt yo^r^ come on yo^r^ adiudication the 29^th^ instant, and yo^r^ are posted up for itt, and soe is my Brother Anketell. I writt to him this night and soe I have to Derby Sullevane for feare of Surprise. If once posted up and not followed, they loose the benefitt of the Articles of Lymbricke. For feare my Brother would nott receave my letter in time, I send him an express. Yo^r^ have allwayes a friend in Court; my Ladie ShellBurne doeth nott forgett yo^r^, and doeth assure me she will continue yo^r^ friend as formerly. I husband what I had, as [illegible] as I cann, butt to pleade povertie to officers of Courts is nonsence, as they Tearme it here. I was offered more for my horse then fiftie shillinges. I shall desire yo^r^ tell m^r^ Carthy more, that my Ladie Marcheness of Antrim is highly offended w^th^ him for nott Answeareing her letters, w'ch I presume if he had, and sett forth his Condition, would lessen much her La^dyp^s displeasure in nott performeinge his promiss. This M^r^ Neill tells me, her Agent here, to whome he desired me to speake when I called to him att Palliee. My humble servise to Cap^t^ Hassett of Killorglin, and tell him that I beleeve he shall have an order, this night, from the Govern^r^ for those thinges that he wants for his designes in serveing their Ma^ties^ and the Countrey. And whatsoever he shall want hereafter, in furtheringe of itt I shall be as Reall a Sollicitor for him here as he was a true friend to me and mine there, and soe conclude w^th^ my ductie to y'selfe, my Love to my wife, and my servise to all friends, I remaine

Deare father yo^r^ obedient sonn
and servant

Co: m^c^Gillycuddy

I am sorry Cornelius m^c^ owen's sonn of Gortneskarrie was nott here to pass his adiudication, for he was posted up, butt I will have him strucke out, if I cann, till the next day of hearinge againe.

[Addressed] These
ffor Co^ll^ Donnough
mac Gillycuddy att Kearhu
ebegg neere Traly
in
Kerry.

CXXXI.

Certificate of M'Gillycuddy's having taken the Oath of Allegiance before the Rev. James Bland.

[Dated 6 November 1694]

[Original]

[Endorsed] Certificate for Colonel Donogh M'Gillycuddy, for takeing ye oath of Allegiance, 6 November 1694.

Killarny Nov^r^ 6^th^ 1694.

S^r^/

In obedience to the R^t^ Honourable the L^d^ Justices' order, bearing date att the Councell office. Dublin, the 29^th^ of Oct: 1694, to me James Bland, Clerke, directed,—I doe hereby Certifye that Coll' Donagh Mac Gillycuddy did, on the seventh day of this Instant Nov:, take the oath of Allegiance, or fidelity, to there present Majestyes, King Will: and Queen Mary, according to a late Act of Parliament, made in England, etc: which is humbly certifyed to there L'dships, by S^r^,

your humble servant,

Ja: Bland.

CXXXII.

The Lords Justices' declaration, giving to Cornelius M'Gillycuddy the benefit of the Articles of Limerick.

[Dated 6 December 1694]

[Original]

[Endorsed] Cap^n Cornelius M^c Gillycuddy's Ord^r of adjudicac'on. 6^th day of December 1694.

By the Lords Justices & Council

CYRILL WREN. W. DUNCOMBE

THE petic'on of Cap^n Cornelius m^cGillicuddy of Carrhewbegg in the County of Kerry, claymeing the benefitt of ye Articles of Lymerick, being set downe to be heard before us ye Lords Justices & council—Upon opening ye same by his Council this day in the presence of their Ma'ties' Council Learned in the Law, and upon Examinac'on of Severall Wittnesses upon Oath in ye case: It appeared to us that the said Capt^n Cornelius M'Gillicuddy was at Bancloghan, in ye County of Kerry, 3^d day of October 1691—that he hath since submitted to their Ma'ties' Governm^t, & taken the Oath of fidelity, & therefore WEE doe heerby adjudge him, ye said Capt^n Cornelius M Gillicuddy, to be Comprehended within the Articles made for the surrender of that place, & to be thereby intituled to all ye benefitts & advantages of them. GIVEN at the Council Chamber, in Dublin, ye 6^th day of December 1694

[Signed] PORTER, CAN^r. —— LONGFORD. —— WILL KILDARE. —— CHA: FEILDING —— RI: REYNELL. —— R^r PYNE —— JNO HELY.

CXXXIII.

Letter from Madame Prittie to Cornelius M'Gillycuddy.

[Dated 26 November 1695]

[Original]

[Endorsed] Madame pritties letter.

Kilboy ye 26 of Nov^{r}: 1695.

S^{r}/

Since I saw y^{o} in Dublin I have considered that the agreem^{t}, w'ch y^{o} shewed me, between S^{r} Will^{m} Petty & my Father Prittie, about ye Exchange of Lands, ought properly to be Lodged in my hands, & theirefore desire y^{o} wold be pleased to deliver that, & any other papers w'ch y^{o} have in y^{r} Hands, relating to me or my Son Baldie, to M^{r} Tim: Kelly to be sent to [me]. If y^{o} have no other designe in keeping them then to p'swade me & my son Baley to acommodate y^{o} with y^{r} Convenientcy in farmes, I hereby assure y^{m} y^{t} we will both Oblidg y^{o} with ye preferance of that, at les rates then we can have from others. W'ch will be a grater Certeinty & advantage to y^{o} then y^{o} now have, or can have whilst your redusem^{t} is obstructed. I hope we may be better acquinted, & y^{t} we may be servisable to each other; in w'ch part, nothing that's in my power shall be wanting to aprove myselfe with all possible gratitude, S^{r},

y^{r} reall freind & servant

Eliza Prittie

[Addressed] For Cornelius M'Gillycuddy, Esq^{r}, att Carrewbegg in the [County of Kerry]

CXXXIV.

Affidavit concerning the Adjudication.

[Dated 3 August, 1696]

[Original]

[Endorsed] John Morris his affedavit about my adjudication.

John Morris, gent', came this day before me and made oath that about November, or Dec^r, last past, Cornelius Magillicuddy did by himselfe or serv^t, deliver him his adjudication, whereby he was Comprehended and adjudged w^th^in the Articles of Limerick. He further saith that y^e s'd adjudication was so delivered in order to gett a licence for y^r s'd Magillycuddy to weare Arms, and that y^e s'd adjudication is now in this dep^ts custody, or keeping, in the King's bench office in Dublin, as hee verily believes.

Jur' cora' me 3° Aug^t, 96

R^t. Pyne

CXXXV.

Receipts for Poll Tax.

[Dated 1697]

[Endorsed] Accquittances for my pole mony.

Rec^e By Ord^s ffrom Cornell^s m^c^ Gillycuddy Esq^r ye sume of 6^s^ 6^d^ being ye first galle of his polle Tax Dew to his maiesty as witt^t^ my hand this 9^th^ of Aprill 1696

Jo^s^ Conway

Rec^d^ of Cornell^s^ m^c^Gillycudy Esq^r ye sume of one pound six shilling being ye full Charge of his poole money as wittness my hand this 24^th^ of Aprill 1697

Jo^s^: Conway

CXXXVI.

Mr. Schuldam's Letter.

[Dated 14 May 1698]

[Original]

[Endorsed] 14th May 98.—Mr Schuldam ab^{t} Mr Pretty's recovery of Ardra as p't of Gortnascarry.

Dublin 14th May—98.

S^{r}

I have yo^{rs}, & have looked into the buissenesse you write of, & I doe not find that Mr Pretty have sued for any such lands as Ardra, soe that unlesse it be a subdenominac'on to one of those they have declared for, (w'ch are Gurtnaskarry als Gortnaskarry cont' 220 acres, Ballycarnahane, Cahirdonnellmoore, cont 600^{a} 3^{s}, the towne & Lands of Kenriegh als Cannriegh, halfe a plowland, cont' 115^{a} 3^{s} in Dunkeran Barrony) or part of some of them, you are secure; but if it be part of any of them you are in danger, there cann nothing now be more done in Co'rt, for you should have appeared & tooke y^{r} Defence, or moved them that yo^{r} Lands might not have been touched, for now all is past, Mr Pretty haveing judgm^{t} ag^{t} the Casuall Ejecto^{r} for all but Gortnaskarry, the last terme, but if it be noe p't as I have menc'oned you are safe. If I cann serve you in any thing you may readily command S^{r}

yo^{r} humble serv^{t}

Edmd. Schuldham

[Addressed] For Captain Cornelius mcGillycuddy
at Kearhubegg neare Tralee
Tralee
Kerry

CXXXVII.

The Petition of Sir Vallentine Browne and Capt in Thomas Browne for reduction of Quit-rent.

To his Grace the Duke of Ormond, Lord L^t Gen^ll & Gen^ll Gov^r of Ireland.

The humble Peticons of Sr Vallentine Browne, Bar^t. & of Captn Thomas Browne

Most humbly shew,—

That the said Sr Vallentine Browne his father dyed in or about the yeare 1640, the s^d Sr Vallentine Browne the now Pet^r being then an infant of two years old whose wardship was granted to yo^r Grace.

That the other Pet^r Capt Thomas Browne was likewise at the time of the death of his ffather an infant & was but tenn yeares old when the Rebellion broke out in the yeare 1641, & that from the time that hee was able to beare armes he served his Ma^tie in forrein parties.

That both the Pet^rs were decreed Innocents in the late Courte of Claymes, noe possible pretence appearing to the contrarie either against them being Infants, or against theire ffathers who Dyed before the Rebellion, yet are they by the strict letter of the Act of Explanation Liable to the Quitt rent, which if charged on them according to the rule of acres directed by the Act of Settlem^t will amount to, if not exceed, the full value of their Land therewith charged ;—The Lands they hould in the County of Kieray & in the remotest part of the County of Corke being the most barren Land of all Ireland.

To the end therefore that they, whose Innocence could meet with no manner of opposition, may not suffer in so high a measure as is in effect the loss of theire whole Estate, if the Extremitie of the Quitt rent be sought from them in proportion to the number of acres appearing by the Surveyor Generall his Certificate annexed.

Doe most humbly beseech yo^r Grace to give Order that the Levying thereof bee respited untill on ffurther aplication they bee freed thereof, or that it bee moderated, they in y^e mean time paying the former Patent Rent.

& the Pet^rs will pray.*

* This Petition is copied from the Carte Papers, Vol. 60, page 212, in the Bodleian Library at Oxford.

CXXXVIII.

The Report of the Surveyor General upon the Petition of Sir Valentine Browne.

The Surveyor Generals' Certificate and Report on the above Petition.

The Land in Sr Vallentine Browne's Decree in the County of Kerry, at the large acre before reducement, is 51433 acres Irish, which makes of English 83113 acres & one perch. The Quitt Rent pr ann. is £780 1^{s} 2^{d}. Vallue in anno 1640 of the s^{d} Lands by the Civill Survey, £1314 10^{s}.

The said 51433 acres, according to the reduced Collume, allowing in some places 20 acres to be worth but one profitable acre, in other places allowing 8. 10. 12. 14. & 16 acres to be worth but one profitable acre, & so reduced, is 21792 acres profitable Irish, w^{ch} makes of English 35298 acres 1 rood & 28 p'ches. Quitt rent pr an £330 18^{s} 7^{d} 1^{q}.

The lands in the decree of Thomas Browne Esq, in the County of Kerry, at the large acre before reducm^{t}, is 5639 acres, which makes of English 9134 acres 38 pches. Quitt rent pr an £86 2^{s} 7^{d} $\frac{3}{4}$. Vallue of the s^{d} Lands in anno 1640, by the Civill Survey £164. The s^{d} 5639 ac^{rs}, according to the reduced Collume, allowing 6. 10. 12. & 35 acres to be worth but one profitable acre & soe reduced, is 1886 acres, w^{ch} makes of English 3054 acres 3 roods & 39 pches. Quitt rent p an £28 7^{s} 9^{d} $\frac{1}{4}$.

The Lands in the decree of Thos Browne Esq. in the Barony of Beare & Bantry in the Co. of Corke Cont 9267 acres profitable Irish, w^{ch} makes 15010 acres English. Quitt rent p an £140 14^{s} 3^{d} 3^{q}. Vallue of the s^{d} Lands in an^{o} 1640, by the Civill Survey, £135.

Tho Eliot Dep^{y} Sur. Gen^{ll}.*

* From the Carte Papers in the Bodleian. Vol. 60, page 113.

CXXXIX.

The State of the County of Kerry and the Baronies of Beare and Bantry in 1673.

[The following Paper is taken from "Collections concerning the Execution of the Acts of Settlement and Explanation." Liber M. fo. 353. Record Tower, Dublin Castle].

Report on the State of the County of Kerry and the Baronies of Bere and Bantry.

[Dated March 27, 1673]

To His Excellency the Lord Lieutenant of Ireland.

In obedience to your Excellencie's order of y^e^ 24 March last We, the under named Justeces of the Peace for y^e^ Countie of Kerry, have considered the state and condition of the three Baronies of Iveragh, Dunkerran, and Glanerought, within the said county, unto which wee conceive the condition of Beare and Bantry to be very like, and doe upon the whole matter finde that the said four baronies are obnoxious unto the following evills: viz^t^.:

First, to be preyed upon by any enemies shipping, Pickaroons, and that the people thereof are under many temptations and have many opportunities to correspond and comply with such vessels for their relief and refreshment, as may appear by the situation of y^e^ land, condition of y^e^ people hereafter mentioned and several late instances.

That y^e^ said country, being inhabited, for y^e^ most parte, by such people as are concerned to oppose y^e^ present laws, and that others being not enough in number to procure the execution of what the Magistrate commands, It hath happened that the Ministers of Justice have been so abused in their persons and goods, that they have been either terrified from proceeding in their duty, or else wearied into a compliance with or connivance at those whom they before sought to punish.

The cause of which two General Evills wee humbly conceave to be as followeth: viz^t^. —

First, For that the remotest part of these Baronies are 180 English miles from Dublin, and near 40 miles from the places where Assizes and Sessions are held, and y^e^ way for y^e^ last 30 or 40 miles are the worst of all Ireland, unpas-

sable in the winter time, and require an hour's riding, with much trouble and danger, for each mile, so as the Ministers of Justice cannot from the inhabitants of those places (who are very poor) find any satisfaction for their troublesome journey after them. Nor will the causes wherein those poor people are concerned bear the chardge of sending men to make affidavits or to be witnesses &c. in them: Nor are there yet Manors enough erected in a sufficient order to try small matters upon the place.

2. In all the said Baronies, being 100 miles in compass, there is resident but one Minister, and he without Churchwardens or Service-Booke, officiating only now and then in one place, and who although he have above £300 due to him is now ready to perish for want of maintenance, and so vexed by the injuries and abuses done him by the Papists, that he findes it easier to suffer than to seeke reliefe: whilst the country aboundeth with unnecessary Priests and Officers and Friars, exacting large allowances from y^e^ people, and with youth learning of needless Latin instead of useful trades.

3. The country is soe thin peopled that there is above 66 English acres of Land for every man woman and child that is within it; and these soe poore that untill very lately there was not in them tenn houses of two chimnies in each—not one inhabitant in them all able to bear the office of Justice of the Peace or Sheriff. Noe kinde of Manufacture or fishing (but oysters at low water) even in this place, which before the discovery of Newfoundland was the fishery of Europe; and no employment but the grazing of small cattle in the summer time without making any hay for the winter; but a general face of poverty and rudeness hath over-spread it untill within these five last years that the Trades of Iron, Lead, Timber, Shipping, Rape seed, fishing of all sort, Tanning and several other trades subservient thereunto, hath been with great difficulty introduced by one or two persons. Soe as the people, by reason of their poverty and the fastness of the country, are irresponsible either by their bodyes or goods for anything they did amiss. Nor was there any Magistrate upon the place to examine their actings.

4. The said country is not only thin peopled in generall but the proportion of English and Protestants is smaller here than in most parts of Ireland; for in y^e^ said three Baronies of Kerry, consisting of Thirteen Parishes, there are not at the time tenn Protestant families in Eleven of the said Thirteen parishes, that is to say, not above [illegible] of the Papists, as may appear by

the Collector of Hearth Moneys for the said Parishes for y^e^ said countrey, nor were the other two parishes better furnished till within these four yeares Sir William Petty erected Iron Works in them.

5. The countrey was, by the last Powers that subdued it, laid wast for many years, soe as it was death for any man, woman, or childe to be seen in it. Neither, since the Militia hath been settled all over the Kingdom, hath there been any notice taken of this place, either to protect it by part of the Army or by a Militia of it's own, even from an enemy's long-boat, which with 40 Musqueteers may do what they please with this country. Nor at this time of speciall danger is there a garrison in any other part of the County of Kerry—nor since the suspension of the Presidency [of Munster] are the forces which were here under any command that's clearly understood.

6. From the year 1657 to the year 1668 It is manifest that there hath been a strange destruction of woods, and vast numbers of Pipe, Hogshead and Barrell staves exported, yet such was the universall Confederacy of the Irish in this particular, that though they are all probably guilty, yet not one man can be convicted of what many hundreds must needs be guilty. Besides many malefactors have fled into this countrey, either to hide or shipp themselves away.

Nor do the country people, for fear of their lives or burning of their houses, dare refuse to entertain such persons and other soldiers against whom there are Express statutes in this Kingdom. Nor are there here Justices of the Peace, able to do what is fitting in this matter for one cause or other.

7. The Irish of this country are all branches of a few families, and chiefly of the Sullivans and Carthys—but most of the Sullivans—they having been late Proprietors of most of y^e^ Lands here, as may appear by the Surveys upon record. And t'is certain that the Three Cheif of the Sullivans themselves, namely O'Sullivan More, O'Sullivan Beare, and MacGillicuddie, although neither of them were adjudged Innocent, nor have any benefit under the late Act of Settlement, do nevertheless viis et modis enjoy considerable parts of their Estates, and that without paying Quit Rent unto His Majestie for y^e^ same as even Innocents are obliged to do, whereby they are enabled to engage great numbers of their names and families to assist them in such their trespasses and intrusions. Besides the best of these three hath lately acted as Justice of the Peace himself, whilst the English to whom these Lands are passed in Certificate

cannot legally come by them, Patents having been stopped from passing upon such Certificates.

8. The greatest part of these Lands are by a mere misunderstanding of the survey, contrary to the intention of the Explanatory Act, severall of His Majestie's Decrees in the Exchequer, and against common sense itself, chardged with tenn times more Quit Rent than y^e^ Lands were worth at the time of y^e^ first chardging of Quit Rents, which hath occasioned many Pursuivant seizures and Liverys to issue against this countrey; All which have taken little effect by reason it was impossible to pay what was required: But have occasioned many violences and illegal actions by severall persons [and] was y^e^ reason of the first generall evill aforementioned, that is to say, of the countrey's being infested with enemys shipping and their being tempted to favour Pickaroons in the remoteness and fastness of the countrey. It's situation upon y^e^ ocean; and y^e^ multitude of it's creeks and harbours; The poverty, thinness, & insolvency of the people, as also their confederates ill will towards those who have gotten their lands, together with the plenty of cattle which are a refreshment to such shipping; And lastly the fair excuses they can make for their so doing, as that they were surprised at their fishing and forced to ransom themselves with a little refreshment, &c.

And the reason of the other generall evills, viz^t^. the baffling and eluding of y^e^ laws & Magistracy, are y^e^ aforementioned irresponsibleness of y^e^ people both in their bodyes and goods to answer Lawes.—The multitude & confederacy of the Transgressors too many to be punished,—The stopping of Patents upon Certificates, whereof the old Proprietors doe and their adhearents doe take advantage: And lastly the exacting of more Quit Rents than can be paid, or than the intention of the same requires, and the not settling of the same for all in generall, as hath been done in many particular cases and those not the hardest, which hath necessitated and provoked persons concerned to use extraordinary shifts for their naturall preservation:

For Remedy of all which is humbly offered as followeth:

1. That the ways of the countrey be mended which (although it seems a vast and monstrous undertaking) yet it hath appeared feasible by an effectual experience of this present yeare.

2. That the owners of the lands in these baronies might be called upon to erect Manors for y^e^ use of y^e^ people in their small suits.

3. That there be above one hundred English Protestants in these three Baronies able to bear arms, and above thirty of them able and experienced souldiers.

4. That y^e^ said English men. with as many more of y^e^ best affected Irish, may be formed into a Troope of Dragoones and a Company of Foote to defend y^e^ countrey from forcigners, and that the severall fisheries being restored and encouraged, the fishermen now belonging to them, which be about two hundred, and their boates, which may be thirty, may be able to deale with the enemy's long-boates before they can land, as the Militia above mentioned may do afterwards.

5. It is humbly offered, for y^e^ strengthening of y^e^ said militia and containing the most suspected part of them in their due obedience, that some central place of great naturall strength, not above thirty miles distant from the remotest part of the countrey, nor from the River Shannon on the one side and Timoleague Bay on the other side, be thought upon, to be manned with a competent garrison for that purpose, which may by the equal distance be equally distant from the whole West of Ireland, there being such places.

6. That the Ministers, Churches, & Churchwardens, with their necessary appurtenances may be had and maintained, to prevent the contempt of the Protestant party and their Religion, and also their degenerating into Irish and Papist.

7. That all possible endeavours be used to encourage the English and Protestant party to live in the parts especially about the Sea Coasts, upon account of the fishing: As also in some one Central inland part of the whole upon some proper manufacture, so as instead of 150 Irish families for one of English now in the Eleven Parishes aforementioned, there may not be above Six for One, as in y^e^ two other Parishes already planted by Sir William Petty.

8. That, by this encouragement of the English, at least two or three English men of good estate and reputation may be enable to reside in this countrey, who by acting as Justices of the Peace may break the practices of Idlers and Cosherers; And dividing the whole people into tithings of families as heretofore, may Cause the Chief of each tithing to be bound for the good behaviour of each person in it, and each for the other and for their forthcoming on occasion; and that Constables of Hundreds, & Sheriff's bailiffs, may (if possible) all be English.

9. That the stop upon passing Letters Patents upon Certificates be removed; and Consequently that the Old Proprietors may be dispossessed in form of Law, and their numerous Kindred and followers not engaged to assist their usurpation any longer.

10. That the Quit Rents of this countrey may be settled according to the intention of y^e^ Law, the express words whereof are that it ought to be so moderate as to consist with the encouragement of Plantation: Moreover, besides the ordinary meanes above mentioned, It is humbly intimated the difficulty of regulating, civilizing, and securing this countrey may neede and desire some extraordinary helpes and consideration.

Lastly. We humbly conceive that the rest of the County of Kerry and parte of the County of Corke are more or less in the same condition with the place above said, and require the same remedy; All which is humbly submitted by

Your Excellency's

Most obedient servants

Herbert.
John Butler.
Cadogan Barnes.

CXL.

The Lineage of the MacGillycuddies from the Third to the Seventeenth Centuries, compiled by William M. Hennessy, Esq., M.R.I.A.

1. The celebrated Prince Oilill Olum, from whom the family of MacGillicuddy, in common with most of the other distinguished families of Munster, is descended, is represented by the old Irish genealogists as the 43rd in direct descent from Milidh, or Milesius. His death is entered in the Annals of the Four Masters under the year A.D. 234, where he is called King of Munster. His father, Mogh Nuaghad, waged a fierce war against the Irish Monarch, Conn of the Hundred Battles, whom he compelled to agree to a division of Ireland. The historians assert that the boundary line extended from Dublin to Clarin's Bridge, near Galway. All to the south of this line was called *Leth-Mogha*, or "Mogh's half," and the northern part was called *Leth-Chuinn*, or "Conn's half." And these names are still applied to north and south by the Irish-speaking population.*

   This prince seems to have married Sadhbh (pron. *Sogh*), or Sally, the daughter of Conn of the Hundred Battles, his father's opponent, and had by her seven sons. He is said to have had twelve sons by other women.

   His sons by his wife were, 1. Eoghan Caemh (or "Eugene the Mild"), otherwise called Eoghan Mór, from whom the "Eugenian"† families of

* The Irish historians assert that Oilill Olum, by his last will and testament, directed that the sovereignty of Munster should be alternately enjoyed by the descendants of his two eldest sons, Eoghan Mór and Cormac Cas, that is to say, by the Eugenian and Dal-Cassian families; but although the compact seems to have been observed for some time, the rule of "might is right" ultimately prevailed.

† The principal septs of the Eugenian race were the Mac Carthies, O'Callaghans, O'Sullivans, O'Donoghoes, O'Donovans, and O'Mahonys of Munster.

Munster are descended: 2. Cormac Cas, from whom the O'Briens and the principal families of Thomond derive their origin; 3. Cian, the ancestor of various tribes scattered throughout the north of Ireland, the name of one tribe of which (Cianachta) is still preserved in that of the Barony of Keenaght, County Londonderry; 4. Dichorb; 5. Dubhmearchon; 6. Mogh Corb; and 7. Tadhg, or Teige.

The eldest of these was—

2. Eoghan, or "Eugene the Great," who is also called Eochaidh Taebh-fada, or Eochaius *de longa latere*, as O'Flaherty correctly interprets the name (Ogygia, p. 331). Eoghan and his brothers assisted their maternal uncle, Art, son of Conn of the Hundred Battles, in the celebrated battle of Magh Mucraimhe (pron. *Mag Mucreeve*), a plain near Athenry, in the County of Galway, which was fought, in the year A.D. 218 according to the Annals of Tighernach. The opponent of King Art was Lughaidh (pron. Loo-ey) Mac Con, who had been expelled from Ireland, but who is said to have returned with a band of foreign adventurers to avenge his injuries. Lugha Laghe, the brother of Oilill Olum, incensed by the marriage of the latter with the daughter of his father's enemy, took the side of Mac Con in the battle, and slew the Monarch Art. Of the legitimate sons of Oilill Olum who were engaged on this occasion, only one escaped, namely the second son, Cormac Cas, the ancestor of the Dal-Cais, or principal family of Thomond.* Eoghan Mór married Moncha, the daughter of Dil, a celebrated Druid, and had a son,

3. Fiacha Muillethan, or "Fiachus Latus Vertex," who succeeded to the sovereignty of Munster on the death of his uncle, Cormac Cas, about the year 260. He was the contemporary of Cormac Mac Art, Monarch of

* *The Book of Leinster*, a MS. of the twelfth century in the Library of Trinity College, Dublin, contains (fol. 165, bb) a curious poem, ascribed to Oilill Olum, in which he laments the death of his sons. Although the language is, of course, by no means as old as Oilill's time, it is still exceedingly ancient.

Ireland, who endeavoured to exact heavy tributes from the Munstermen. His pretensions being opposed, Cormac invaded Munster with a large army; but on reaching the place then called Druim Damhgaire, now Knocklong, in the County of Limerick, he was encountered by the army of Munster, under the command of Fiacha, defeated in a pitched battle,* and obliged to make restitution for the injuries caused by his invasion. This Fiacha resided chiefly at Cnoc-Rafann, now Knockgraffon, near the River Suir, in the present County of Tipperary, where his large moat, with extensive entrenchments, is still visible.

In the Book of Munster (MS. R. I. A.) it is stated that Fiacha Muillethan had three sons, viz.:—Oilill Flann-mór, Oilill Flann-beg, and Conall Eachluath; but this seems a mistake, as Conall Eachluath was the fifth in descent from Cormac Cas, and the father of Cas, *a quo* "Dal-Cais." Oilill Flann-mór, the elder, having no issue, adopted his brother, Oilill Flann-beg, as his son, who became King of Munster, in turn, after the death of Mogh Corb, son of Cormac Cas.

4. Oilill Flann-beg was King of Munster during thirty years, and was slain in the battle of Coram, in the County of Sligo, by the men of Connaught, assisted by Fothi Fi Cruomm, son of Mac Con, the ancestor of the O'Driscolls. He had four sons, namely, 1. Lughaidh, the progenitor of Eugenian branches—*viz.* the MacCarthys, O'Sullivans, MacGillicuddys, O'Callaghans, and their correlatives; 2. Daire Cearba, the ancestor of the families of Lyons, O'Donovan, &c.; 3. Eochaidh, King of Munster, whose race is extinct; 4. Eoghan, from whom descended six remarkable saints, viz.:—I. St. Cormac, whose life is given in the *Book of Lecan*, and published in a Latin translation by Colgan, at 26th March; II. St. Becan of Cill-Becain (Kilpeacon, County Limerick); III. St. Culan of Glenkeen, in the County of Tipperary, whose bell, called Bearnan-Culain, or "gapped bell" of Culan, is still preserved; IV. St. Evin of Rosglas, now

* The Book of Lismore, an Irish MS. of the fifteenth century, in the possession of His Grace the Duke of Devonshire, contains an extremely valuable historical tale, called *Forbais Droma Damhghaire*, or "Siege of Druim-Damhghaire," in which the battle in question is most minutely described.

Monasterevan, in the County of Kildare: V. St. Dermot of Kilmacnowen, near the hill of Knocknarea, in the County of Sligo; and VI. St. Baetan of Cill-Baetain, in the County of Antrim. *See* O'Flaherty's *Ogygia*, p. 381.

5. Lughaidh, the first-named son of Oilill Flann-beg, was the third son in order of birth, and had a son called

6. Core Mac Lughdach, or Core, son of Lughaidh, King of Munster, whose first name was Conall, and who received the name of "Core" from an injury to his ear by burning, regarding which a curious legend is told in the *Book of Lecan*, fol. 200, a. Core is stated to have been one of the three kings who, in conjunction with three saints and three poets, assisted St. Patrick in compiling the *Senchus Mór*, which event is referred by the Irish Annals to the year A.D. 438. He is asserted to have been exiled by his father to Scotland, where he married Mongfionn (literally "Fair Locks"), daughter of Feradhach, King of the Picts, by whom he had four sons, viz.:—I. Core, or Cairbre Cruithnechain (Carbrury the Pictish), from whom are descended the Eoghanacht, or Eugenians, of Magh Geirgin, in Scotland; II. Maine Leanbha, from whom the tribes of Leven in Scotland are derived; III. Cairbre Luachra, *a quo* Eoghanacht Locha Lein, *i.e.* the O'Donoghues of Loch Lein; and IV. Cronan, the ancestor of the Pictish tribe anciently settled in Meath. Besides these Core is reported to have had eight other sons, including his eldest son, and successor, Nadfraech, the ancestor of the Eoghanacht Chaisil, "Eugenians of Cashel," *i.e.* the MacCarthys, O'Sullivans, &c.; and of the Eoghanacht Glennonmach, or family of O'Keeffe, and other Eugenian branches settled in the County of Limerick, around Knockany. Another of his sons, named Cas, was the ancestor of the Eugenians of Raithlinn and Ui-Echach, or the powerful family of O'Mahony, which anciently occupied a large tract of country in the west of the present County of Cork.

King Core is represented as the first who established Cashel, called from him *Cathair Chuire* or Core's City, as the chief residence of the Kings of Munster, who previous to his time lived principally in the County

of Limerick. The legendary accounts state that Core's attention was first directed to Cashel by the reports of some swine herds who observed the frequent congregation of angels to the eminence on which the Rock of Cashel now stands; and this was subsequently regarded as having been a sign of the advent of St. Patrick to the place. Core was succeeded by his son,

7. Nadfraech, King of Munster, who had four sons, viz.:—1. Aengus; 2. Oilill; 3. Eochaidh; and 4. Feidhlimidh (pron. *Felimy*). Of these the most remarkable was—

8. Aengus Mac Nadfraech, whose mother was a British princess. He is celebrated as having been the first Christian King of Munster. His faith and baptism he received at the hands of our great Apostle, St. Patrick. In connexion with the ceremony of the baptism of Aengus, an amusing incident is recorded in the lives of St. Patrick (*see* Dr. Todd's *St. Patrick*, p. 468), in which we are told that the saint, without perceiving it, allowed the lower end of his crozier, which was sharp and pointed, to pierce the king's foot; but Aengus, imagining that this was a necessary part of the ceremony, endured the torture without permitting himself to utter the slightest expression of pain; and it was not until the ceremony was over that the fact was discovered.

King Aengus, or Æneas, is stated to have had twenty-four sons and as many daughters, the one-half of whom he devoted to religion, at the request of St. Patrick. His wife was Eithne, called "*Uathach*, or the hateful," daughter of Crimthann (pron. *Crifann*), son of Enna Cennselagh, King of Leinster, the ancestor of the Kavanaghs and the principal families of that province. Aengus and his wife were slain in the battle of Cill-Osnadha, now Kellistown, in the Barony of Forth, and County of Carlow, A.D. 489, by Illann, son of Dunlaing, and by Muirchertagh (or Murtogh) Mac Erca, afterwards Monarch of Ireland. In a stanza, quoted in the "Chronicum Scotorum" (A.D. 487), commemorating the event, he is described as—

> "A branch of the great spreading tree,
> Aengus the praiseworthy, son of Nadfraech."

His eldest son and successor was—

9. Feidhlimidh (pron. *Felimy*), of whom little is known. He left a son, .

10. Crimhthann (pron. *Crifan*, and corruptly *Griffin*), who had a son,

11. Aedh Dubh, or "Hugh the Black," two of whose sons became kings, viz. :—Failbhe Flann, the direct ancestor of the MacCarthys, who was King of Munster from A.D. 627 to A.D. 636, and

12. Finghin (pron. Finneen, anglicè Florence), who was King of Desmond, or South Munster, from A.D. 604 to his death in 619. The ancient records at present existing contain hardly any notices of the career of this individual, who left a son,

13. Sechnasach (or Shaughnessy), whose son and successor, but not in the sovereignty of Desmond, was

14. Fiachra *an ghaisgeidh*, or Fiachra "of the Valour," of whom nothing further is known than that he left a son,

15. Flann Roba, or Flann of the Robe, the father of

16. Dubhindracht (pron. *Duffinrat*), whose eldest son was

17. Murchadh, or Murrough, the father of

18. Echtighern (pron. *Aghteern*), the father of

19. Maelughra (pron. *Mahira*), whose eldest son was

20. Suilobhan, or Suildubhan, from whom the name of O'Sullivan is derived, and who flourished about the year A.D. 950. The Bardic historians have invented the following legend to account for the name of O'Sullivan :—

The name of Suildubhan, they say, was Eochaidh. On one occasion an Albanian (or Scotch) druid, called Labhan (pron. *Lavan*), who was an illustrious poet came to make the visitation of Erinn, and on proceeding to the house of Eochaidh, was received by him with the most

profuse hospitality, and presented with many precious gifts. But to put Eochaidh's generosity to the severest test, Labhan requested him to give him his eye. (Eochaidh had but one eye, the second having been destroyed in battle). To this sacrifice Eochaidh consented, moved thereto by his regard for hospitality, and by the fear of incurring the druid's satire in case of refusal. The ancient Irish entertained the most superstitious fear of poetic satire, the power of which they believed capable of actually making the earth sterile and the rivers unfruitful. The transaction having come to the ears of St. Ruadhan, or Rodhanus, of Lothra, in the County of Tipperary (or rather to his successor; for St. Ruadhan lived in the 6th century—*i.e.*, four centuries before the time of Eochaidh—the saint prayed that the covetous Labhan's eyes might be transferred to the head of Eochaidh; and the request being granted, the lucky subject of this prodigy was afterwards called Suil-Labhain (*i.e.* "Labhan's eyes"), corruptly "Sullivan." But the alias reading "Suldubhan," probably represents the more correct form of the name, which would in this case mean "black-eyed," an epithet perhaps indicative of some deformity in the person to whom it was applied.

Suldubhan had a son, who was called

21. Lorean, a name now generally anglicised Lawrence, whose son,

22. Buadhach (lit. *Victor*, or *Victorious*), of Ath-cró, was the first person that ever bore the name of O'Sullivan. He was the father of

23. Aedh, or Hugh, O'Sullivan, the father of

24. Cathal, or Charles, O'Sullivan, who had a son,

25. Buadhach (or Victor) O'Sullivan, the father of

26. Mac-Raith (lit. "son of prosperity"), now written "Magrath," whose eldest son was

27. Domhnall Mór, or "Daniel the Great," O'Sullivan, of Carrig-Finvoy, in Carbury, county Cork, who was the common ancestor of the families of

O'Sullivan More, O'Sullivan Beare, Mac Gillacuddy, Mac Crohan, Mac Fineen Duff, and MacLawrence. His eldest son was

28. Gilla-Mochuda, or "Servus Mochudii," from whom is derived the name of Mac-Gilla-Mochada, or MacGillacuddy. Various absurd stories have been invented to account for the origin of the name, but the following seems the real origin. A distinguished member of the O'Sullivan family, Ailinn, or Allen O'Sullivan, who had been Bishop of Cloyne, was subsequently transferred to the See of Lismore, where he died in the year 1253. The founder of Lismore, St. Carthach, better known as St. Mochada, who died in 653, was a native of the district (Kerry) to which Bishop O'Sullivan belonged; and thus, both as his countryman and successor, the latter naturally regarded St. Mochuda with peculiar respect. To the bishop, consequently, may be ascribed the introduction of the practice about this time adopted in the O'Sullivan family, of placing their children, at baptism, under the tutelage of St. Mochuda. Hence it is that the name of Gilla-Mochada is of such frequent occurrence in the pedigrees of the O'Sullivans.

This Gilla-Mochuda, had a son called

29. Dunlaing, whose eldest son was Muirchertach (the direct ancestor of Eoghan Ruadh O'Sullivan, who died in Dublin, in the year 1687), and whose second son was

30. Gilla-Mochuda *cauch*, or "the one-eyed," whose son

31. Conchobhar, or Conor, was the first person called Mac Gilla-Mochuda, or MGillicuddy, although his name is sometimes written "Conor Mac Gillicuddy O'Sullivan."* He was the father of another

* He appears to have been the MacGillicuddy mentioned in the Annals of the *Four Masters*, under the year 1563, as having slain Donnell O'Sullivan Beare. Regarding the use of the name of Mac Gillicuddy, it is stated in a MS. History of Kerry in the Royal Irish Academy, written about the year 1750, that "most of said family, till Queen Elizabeth's time, called themselves O'Sullivans, but the head of the family was still called Mac Gillicuddy, but some of them call themselves MGillacuddys, *but so keeps about*," as the Reverend Rev. Dr. Denis O'Sullivan, who made some few foundations in the Irish College, Louvaine, when there President, and predecessor to the Rev. Dr. Kent."

32. Giolla-Mochuda MacGillicuddy, *alias* O'Sullivan, who seems to be the "Lord of the Reeks," described in Angus O'Daly's satire (written circa 1599), as hating mankind "as the daisy hates the night." (*Tribes of Ireland*, Dublin, O'Daly, 1852, p. 73. He was the father of

33. Conchobhar, or Conor, M'Gillycuddy *alias* O'Sullivan, the father of another

34. Donnchadh, or Donough, M'Gillycuddy *alias* O'Sullivane, whose eldest son was

35. Domhnall Geraltach, or "the Geraldine," MacGillicuddy, slain in rebellion, the grant of whose estates forms the subject of the first document (page 1) in the M'Gillycuddy papers.

36. Conchobhar, or Conor, M'Gillicuddy. He is the first M'Gillycuddy of Carhuebeg mentioned in the following genealogical table.

CXLI.

The M'Gillycuddy Pedigree from the seventeenth century to the present time, compiled by the Editor, from Family Papers and other Records.

I. Conor or Cornelius M'Gillycuddy, of Carhuebeg, co. Kerry, *m.* 1stly, Joan, *dau.* of John Crosbie, Bishop of Ardfert and Aghadoe, by whom he had issue—

1. Donough, of whom hereafter.
2. Donald or Daniel, the father of Colonel Dennis M'Gillycuddy, who married Margaret, eldest *dau.* and *co-h.* of Mynheer Derrick Von Dachelaer, of Wageningen, in Guelderland.

3. Conor or Cornelius.

1. Kathleen.
2. Eilin. She *m.* 12 Sept., 1672, Charles Carthy, of Sughreany, co. Kerry, esq.

Conor M'Gillycuddy *m.* 2ndly Sheelah, *dau.* of Daniel M'Carthy, of Dunguile, esq., and had by her—

1. Neil.
1. Ellish or Elizabeth.

Conor M'Gillycuddy died 3 Nov., 1630.

II. Donogh, of Carhuebeg, a Colonel in the Army, *m.* in 1641, Marie, the youngest *dau.* of Daniel O'Sullivane, alias the O'Sullivane More, of Dunkieran, co. Kerry, and had issue, besides two children, whose names are unknown,

1. Cornelius, of whom hereafter.
2. *Daniel*, who died *vita patris*, leaving issue by his wife, Lucretia, second *dau.* of Mynheer Derrick Von Dachelaer (see Introductory Memoir), two sons :—1. Dennis, of whom hereafter—2. Cornelius, who assumed the name of Rodrigo Von Dachelaer, and lived in Lisbon. This Cornelius or Rodrigo married, and had, *inter alios*, two sons, who were aged respectively 5 and 2 years in 1720.
3. Dermod, who had a son, Dermod.
4. Philip.
5. Frank, an officer in the Limerick Garrison, in 1691.
6. John.

1. Inez, wife to John Anketell, of Farrahy, esq.

Colonel Donough M'Gillycuddy made his will on the 11th of April, 1695, and it was proved in the Consistorial Court of Ardfert on the 1st of October, 1702. The date of his death was the year 1695 or 1696.

III. Cornelius, of Carhuebeg, was the eldest son of Colonel Donough, and *m.* in 1670, or previously, Ellish or Elizabeth, sister to Charles M'Carthy, otherwise called the M'Carthy More.

Cornelius had no issue, and died in Nov., 1712.

IV. Dennis, of Carhuebeg, eldest son of Captain Daniel and Lucretia M'Gillycuddy, *m.* in 1717 [M.S. 26 Feb.] Anne, born 24 January, 1694, *dau.* of Capt. John Blennerhasset, of Killorglin, by Elizabeth, *dau.* of Rev. Benjamin Crosse. She *m.* 2ndly, in 1731, Thomas, son of Arthur Herbert, esq., of Currens, co. Kerry, and had issue by him.

The children of Dennis and Anne M'Gillycuddy were—

I. Dennis, of whom hereafter.
II. Cornelius, of whom hereafter.
III. John, born 26 July, 1727.
IV. Philip, born 10 Feb., 1729.
1. Avis-Catherine.
2. Elizabeth.
3. Mary.

Dennis M'Gillycuddy died in 1730.

V. Dennis, eldest son of Dennis and Anne M'Gillycuddy, was born on 15 Nov., 1718, and died intestate and unmarried in 1735.

VI. Cornelius, second son of Dennis and Anne M'Gillycuddy, was born on the 15th January, 1720. Upon attaining his majority he proceeded to obtain an account from Mr. Herbert, his mother's second husband, of the assets of his father, and for that purpose took out administration to his elder brother Dennis. In 1742 Cornelius had thoughts of marrying a Roman Catholic, as appears from a letter which he received from Redmond Keatinge, a lawyer, whom he consulted. In this letter, dated from Dublin, January the 7th, 1743, Mr. Keatinge thus advised the M'Gillycuddy:—"I am of opin^{n}, y^{t} you can't with safety marry a Papist. Such marriage is attended with very many legal disabilities, such as to be deemed a Papist, unless the lady shall conform within y^{e} year and day after y^{e} marriage. But I do not think y^{t} such marriage, tho' she should not conform, could affect y^{r} present estate. There is a bill brought in this session to annull all future marriages between Protestants and Papists, but whether it will pass into a law, I know not as yet." The M'Gillycuddy seems to have adopted the advice of his counsellor. In the month of April, 1745 (as appears by his love letters still preserved), he was engaged to Catherine, *dau.* of Richard Chute, esq., of Tulligaron, co. Kerry, by Charity, *dau.* of Arthur Herbert, of Currens, and Mary Bastable.

The M'Gillycuddy's marriage with this lady was solemnized on the 16th of July, 1745.

Cornelius and Catherine M'Gillycuddy had issue:—

I. Denis, born 31 Oct., 1747, died *unm.*

II. RICHARD, of whom hereafter.

III. *Francis*, born 17 August, 1751, *m.* 1788, Catherine, relict of Darby M'Gill, esq., and *dau.* of Denis Mahony, of Dromore, co. Kerry, esq. *Francis* died on the 6th of April, 1820, having had issue:—

1. RICHARD, of whom hereafter.

II. Denis, born 8 January, 1791, died young.

III. Daniel, born 28 Oct., 1794, died young.

IV. Francis, born 21 May, 1796, died *unm.*

V. Denis, born 8 January, 1798. He was a Lieutenant in the Royal Navy. He *m.* Mary Kirwan, and died s. p. in 1843.

1. Mary, born 19 Dec., 1791, died *unm.*

2. Catherine, born 10 April, 1793, who *m.* Montgomery Agnew Martin, esq., and had three sons and two daughters.

IV. Daniel, born in February, 1753. He *m.* 1stly Elizabeth, *dau.* of Conway Blennerhasset, by Elizabeth Lacy, and by her he had no issue. He *m.* 2ndly, in 1811, Sophia, *dau.* of Sir Barry Denny, Bart., and by her, who died in 1832, had issue:—

1. Daniel De Courcy, who *m.* Lucinda Morphy, and has issue:—

I. Daniel-De Courcy, born 20 July, 1840.

II. Richard-Edward, born 7th May, 1850.

III. Henry-Arthur, born Oct., 1852.

IV. Edward-Arthur, born Nov., 1854.

V. Arthur-Orpen, born 1856.

VI. Francis-John, born June, 1860.

1. Sarah-Lucinda.

2. Sophia-Elizabeth.

1. Arabella, wife of Edward Morphy, esq.

2. Sophia, wife of Rev. Henry Denny, a brother of Sir Edward Denny, Bart.

v. Eusebius, born in May, 1754. He *m.* Anne Fitzgerald, and left issue, *inter alios* :—

i. Francis Chute, born 1794. He *m. circa* 1816, Elizabeth, *dau.* of John Curry, esq., by Ursella Godfrey, of Miltown, co. Kerry, and dying on the 24th of Nov., 1839, left issue surviving :—

i. Daniel, who *m.* in 1842, Johanna Trant, of Caherciveen, and has issue two sons, Francis, born 25 Sept., 1843, and Valentine, born in 1846.

ii. Francis-Curry, born 2nd March, 1831, now (1866) a Captain in the Kerry Militia. He *m.* in 1855 Kate-Glanville Thomas, of Cambourne, Cornwall, and has issue:—i. Francis, born 8 Dec., 1857. ii. Richard, born 2nd April, 1861. iii. William, born 28th Dec., 1862. 1. Christina-Lillias, born 27th August, 1856. 2. Elizabeth, born 19th April, 1859. 3. Mary-Glanville, born 3rd May, 1865.

1. Ursella, who *m.* in August, 1840, to George Mayberry, esq., M.D., of Riversdale, Kenmare, and has issue three children.

1. Margaret, born 1796, and died in July, 1849. She was married, in 1817, to Alexander Eagar (who was born in 1786, and died 7 Sept., 1855), and bore to him (i.) Thomas, born in November, 1818, who died in June, 1847—(ii.) Eusebius M'Gillycuddy, born in 1820—(iii.) Francis—(iv.) Alexander—(v.) James—(1) Anne—(2) Rosanna-Catherine—(3) Margaret.

vi. Cornelius, born in July, 1763.

1. Charity, wife to Edward Collis, esq.

2. Mary Anne, died young.

3. Margaret, wife to Rev. James Day.

4. Ruth, died *unm.*

5. Avis, died *unm.*

Cornelius M'Gillycuddy died in 1787.

VII. Richard, the second son of Cornelius M'Gillycuddy, by Catherine Chute, was born 30 May, 1750. He *m.* Arabella Mullins, *dau.* of Thomas, the first Lord Ventry. In the year 1793 he was appointed High Sheriff of the county of Kerry, and was sworn into office on the 18th of February, with his brother, Eusebius, as Under Sheriff. In the same year, the 27th of April, he was made a Deputy Governor of the county Kerry.

Richard M'Gillycuddy died s. p., on the 19th November, 1826.

VIII. Richard, eldest son of *Francis* M'Gillycuddy, by Catherine Mahony, was born on 1st of January, 1790. He *m.* 1stly, on 9th Nov., 1814, Margaret, only *dau.* of James Bennett, M.D., of Cork, by Dorothea St. Leger. By her, who died on 2nd of Feb., 1849, he had issue—

i. Richard, born 11 April, 1816. Died same year.
ii. Francis, born 25 Dec., 1818. Died *unm.* in 1841.
iii. James, born 23 Feb., 1822. Died same year.
iv. Robert, born 29 Dec., 1823. Died *unm.* the 14th of August, 1845.
1. Arabella, born 15 Nov., 1817. Died *unm.* in 1844.
2. Martha Maria, born 23 Nov., 1819. Died *unm.* in 1830.
3. Dorothea, born 30 March, 1826. She was married on 29th June, 1847, to William Leader, of Rosnalie, esq., (brother to Nicholas Philpot Leader, esq., M.P. for the county of Cork,) and bore to him, who died in 1861, two sons (William-Nicholas, born 1853, and Francis Henry Mowbray, born 24 July, 1855), and two daughters, Dora-Margaret and Margaret.

Richard M'Gillycuddy *m.* 2ndly, on 6th of Nov., 1849, Anna, youngest *dau.* of John Johnstone,* esq., J.P., of Mainstone Court, Herefordshire, (formerly of the 3rd Dragoon Guards), and by her had issue—

* This John Johnstone belonged to one of the leading branches of the Scotch "Johnstone clan," which claims descent through the Marquis of Annandale from King Robert Bruce. Mr. Johnstone's wife was the only child of the Rev. John Hutton, who belonged to an ancient Saxon family, who claim a royal descent through the line of Plantagenet.

I. Richard Patrick, of whom hereafter.
II. Denis Charles, born 14 May, 1852.
III. John, born 20 March, 1855.
IV. Charles, born 8 Nov., 1857.
V. Neill, born 22 July, 1860.
1. Agnes, born 3 Sept., 1853.
2. Anna-Catherine, born 20 July, 1856.
3 Mary-Ruth, born 6 Feb., 1859.
4. Sylvia Emily, born 10 Dec., 1861.
5. Inez Eileen, born 10 Oct., 1864; died 12th Oct., 1864.

Richard M Gillycuddy, of Baneclione or Whitefield, succeeded in 1826 to the family estates, which were much diminished by the carelessness of his ancestors. He, however, devoted himself to the improvement of his property, and by judicious management largely increased its value. He also made several extensive purchases of land, and acquired in this way a good deal of the ancient possessions of his forefathers. His influence as a resident proprietor was largely felt in his immediate neighbourhood, and he was respected and beloved by his tenantry, who regarded "the M'Gillycuddy" as their chieftain and lawgiver. Many of the denominations of land which have been mentioned in the foregoing papers will be found in the list of the townlands possessed by the late M'Gillycuddy, in the county of Kerry. These townlands are the following, namely:—In the Killarney Division,—Ardlaghas East, Ardlaghas West, Ardra, Alohart, Coolcummisk, Carhoondhone, Estnacrotty, Bunbennie, Droundusky, Meanus East, Meanus West, Coolgarrive, Aghalibeg, Knocknasartnet, Cleeny, Cahirerohane, Baneclione or Whitefield, Upper Whitefield, and Coolroe;—In the Cahirciveen Division—Ahane, Cockowe, Cappaghclarig, Cappaghmore, Cappantanavally, Cloon, Coolnagreena, Cloughfune, Curraghfilugh, Blackstones, Droundury, Droumstabula, Coumletragh, Gortrelig, Gortnagown More, Gortnagown Beg, Goulnacappy, East Aulough, West Aulough, Upper Shanary, Lower Shanary, and Shanacashill; —In the Dingle Division—Ballinrigrown, Ballycullane, Cahireruthera, Cahirpierce, East Glantanes, West Glantanes, Killenagh, and Rathduff.

The M'Gillycuddy at the time of his death was possessed of considerable personal property. He was also seized of the advowsons of the rectory of

Sutton, S. Nicholas, in Herefordshire, and of the Perpetual Curacy of Miltown, in the county of Kerry.

The M'Gillycuddy was appointed a Justice of the Peace for the county of Kerry, on the 30th of November, 1815, and served the office of High Sheriff in 1824. On the 20th of February, 1832, he was appointed by the Earl of Kenmare to be a Deputy Lieutenant for Kerry.

He died on the 6th of January, 1866, and was interred in the family vault at Knockane, on the 11th of January. His friends and tenantry afterwards placed a rich memorial window in Knockane Church, as a token of the respect and affection universally felt for him. A handsome Mediæval Tablet was also placed in Knockane Church, by his widow, Madame M'Gillycuddy.

IX. Richard-Patrick, eldest son of Richard M'Gillycuddy, by his second wife, is the present M'Gillycuddy. He was born on the 15th of July, 1850.

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ERRATA.

Page 6, line 19; for "Tragynemyn," read "Fargynennym," or *recte* "Fear-gan-ainm;" *i.e.*, "the man without a name.

Page 151, line 7; for "H. Pytton," read "A. Fytton."

Page 177, line 9; for "Cyrill Wren," read "Cyrill Winch."

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